United Nations A/C.3/60/SR.16

General Assembly
Sixtieth session

Official Records

Distr.: General
21 November 2005

Original: English

Third Committee

Summary record of the 16th meeting
Held at Headquarters, New York, on Monday, 17 October 2005, at 10 a.m.

Chairman: Mr. Butagira ..... (Uganda)
later: Mr. Anshor (Vice-Chairman) ..... (Indonesia)
Mr. Butagira ..... (Uganda)
Ms. Carvalho (Vice-Chairman) ..... (Portugal)
Mr. Butagira ..... (Uganda)

Contents

Agenda item 67: Promotion and protection of the rights of children *(continued)*

This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of publication* to the Chief of the Official Records Editing Section, room DC2-750, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate corrigendum for each Committee.

05-55548 (E)

The meeting was called to order at 10.05 a.m.

Agenda item 67: Promotion and protection of the rights of children (*continued*) (A/60/175 and Corr.1, A/60/207, A/60/282 and A/60/335).

1. **Ms. Al-Muhairy** (United Arab Emirates) said that her Government had enacted a number of new laws and acceded to the relevant regional and international conventions on the rights of children, including the Convention on the Rights of the Child. Its commitment to protecting the rights of the child had been reflected in various national measures, including the establishment of maternity and child health care and medical centres, which had helped to bring mortality rates for children under five closer to those in developed countries. Polio had also been eradicated in 2002 through immunization campaigns.

2. Other measures included the provision of universal primary education, which was mandatory for both boys and girls, and free education from kindergarten to university. New legislation had been enacted to protect children both within the family and within State institutions which cared for orphans and abandoned children and to protect children from all forms of exploitation, including the prohibition against persons under 18 from participating in camel races. A national agency had been established to promote better standards of care and attention for mothers and children. Centres for children with disabilities and special needs had been established throughout the United Arab Emirates to provide needed medical, psychological, social and educational services. Rehabilitation centres had also been set up to provide juvenile offenders with the necessary psychological and social care for their reintegration into society.

3. To encourage development, the United Arab Emirates had made significant contributions in cash and in kind to United Nations agencies concerned with children and had extended direct assistance to developing countries and countries affected by natural disasters and armed conflicts in order to help to create a world fit for children.

4. Palestinian children continued to suffer from tragic humanitarian and security conditions in the occupied Palestinian territories which posed grave threats to their lives and future. The continuing attacks, closures and oppressive policies of the Israeli occupying forces had resulted in the killing and maiming of thousands of children and the spread of poverty and disease. Her delegation therefore called on the international community to compel Israel to cease its aggressive policies and ensure its respect for and commitment to the principles and provisions of international humanitarian law including the Fourth Geneva Convention.

5. **Mr. Chaudhry** (Pakistan) said that the promotion of an agenda for development and implementation of Millennium Development Goals could make a crucial difference in poverty eradication. The realization of the Goals, which had a direct bearing on children, depended, first, on the will of Member States to meet their commitments at the 2005 World Summit to mobilize resources and extend foreign direct investment to complement national poverty eradication efforts. Secondly, the international community should concentrate on conflict resolution. As armed conflict affected millions of children, exposing them to exploitation, sexual violence, displacement and other ills, Member States should devote some attention to the issue of children in armed conflict within the framework of the Peacebuilding Commission. Thirdly, there was a need to combat the diseases which most threatened children through such means as vaccination and immunization campaigns, access to clean water and sanitation. The international community must also consider a range of issues to help children affected by HIV/AIDS. Fourthly, education required attention, in particular with respect to the special needs of the girl child. Fifthly, children must be protected against abuse, exploitation and violence. Efforts must focus on families, the community, raising awareness and the promulgation of legislative and administrative measures to eliminate such abuse. Sixthly, the horrendous impact of natural disasters on children underscored the need to establish standby rapid response capacity to meet their most immediate needs.

6. The efforts of his Government to create a healthy environment for children were based on a national framework and the goals set forth in the final document of the twenty-seventh special session of the Assembly, entitled "A world fit for children", the Millennium Declaration and relevant international conventions. A commission had been established and a plan of action was being prepared in collaboration with civil society actors to implement the Convention on the Rights of the Child and other relevant international instruments to which Pakistan was a party. In addition, legislation

had been enacted to prohibit capital punishment against juvenile offenders and to create separate prison facilities for them. Corporal punishment, which had been banned in the Punjab, was likely to be prohibited in other provinces.

7. Other measures included free education up to the tenth grade and equal educational opportunities for the girl child. The national plan of action on education set the goal of universal enrolment in primary school by 2015. Special incentives such as the provision of uniforms, textbooks and meals in schools were available to promote the education of girls. The health sector had also been accorded priority.

8. Pakistan's Poverty Reduction Strategy put special emphasis on alleviating the impact of poverty on children. Legislation had been enacted to prevent human trafficking, which effectively banned trafficking of children. Pakistan was also making efforts to repatriate and rehabilitate children smuggled abroad for commercial purposes. The eradication of child labour was a priority for his Government. In collaboration with the private sector, the International Labour Organization (ILO) and civil society, child labour had been successfully eradicated from the soccer ball and carpet industries.

9. His Government was also implementing its obligations under the relevant conventions of the South Asian Association for Regional Cooperation (SAARC). It had hosted the SAARC meeting of the South Asian Forum for Ending Violence against Children in Islamabad in 2005. His Government had established national child protection centres in several cities and supported an ambitious agenda for the promotion and protection of the rights of children.

10. **Mr. Hackett** (Barbados), speaking on behalf of the Caribbean Community (CARICOM), said that his delegation fully supported the United Nations in its work to safeguard and promote the rights of children and commended its efforts to increase the capacity of States to implement the provisions of the Convention on the Rights of the Child. The situation of children in many places around the globe, however, continued to be a cause of great concern. Poverty, conflict, instability, pandemics such as HIV/AIDS, environmental degradation and natural disasters hindered the development of many countries and affected children in particular, as was shown in the report of the Secretary-General on follow-up to the special session of the General Assembly on children (A/60/207).

11. The Millennium Development Goals, the final document of the twenty-seventh special session of the Assembly, entitled "A world fit for children" and most recently the document of the 2005 World Summit Outcome placed heavy emphasis on ensuring the health, education and security of children through time-bound, specific goals. While the Millennium Development Goals were achievable, it was unlikely that all countries would meet them by 2015, particularly the goals related to children, such as achieving universal primary education.

12. CARICOM called for a recommitment to the implementation of the Monterrey Consensus and the Johannesburg Plan of Implementation, particularly the targets for domestic and international resource mobilization and investment in basic social and economic infrastructure, health, nutrition, education and social security programmes which paid special attention to children. Meeting those targets necessitated a multisectoral approach, universal access to social services of good quality at the national level and the commitment of all countries to the full implementation of the Oslo Consensus on 20/20. Developed countries must fulfil their commitments to promote international trade as an engine for development, afford greater debt relief and increase ODA levels to 0.7 per cent of gross national income (GNI).

13. After sub-Saharan Africa, the Caribbean region had the highest rates of HIV/AIDS which, besides devastating populations and orphaning thousands of children, was posing a threat to economic and social development. CARICOM renewed its call to the international community to devote more funds and attention to the HIV/AIDS pandemic. Its member States had addressed the effects of HIV/AIDS on children through national programmes which sought, inter alia, to reduce the rate of mother-to-child transmission. Public education programmes had been started across the region with the aid of the United Nations Children's Fund (UNICEF), since the best means of combating the effects of HIV/AIDS on children was through education.

14. Lastly, education was a means both to combat child labour and HIV/AIDS and to achieve economic and social development. Throughout the region, boys and girls were entitled to free primary and secondary

education and, in most countries, attendance was mandatory between the ages of 5 and 16. CARICOM had therefore given particular attention to the provisions of the Convention on the Rights of the Child to make education accessible to all children.

15. **Ms. Lund** (Norway) said that in no country were children truly safe from violence. Physical and mental violence against children took place in the home and the family, in schools, governmental institutions and the workplace. Children were beaten, molested, tortured, sexually abused, held in slavery and trafficked. Violence against children infringed on their enjoyment of human rights and freedoms such as the right to health and privacy and, in too many cases, even the right to life.

16. The United Nations study by the Independent Expert was an important step towards ending silence in the face of violence against children. Her Government looked forward to studying the final report, particularly the issue of ensuring State accountability. Efforts must not end with the release of the report, however. The study recommendations must be clear and complemented by objective and feasible suggestions for implementation.

17. Her Government had launched a strategy to combat sexual and physical child abuse, including measures to prevent and disclose such abuse, increase assistance to children and their families and enhance research and professional qualifications. The prohibition of all forms of corporal punishment was an important step towards ending violence against children. In Norway, corporal punishment of children had been explicitly prohibited since 1986.

18. The human rights mechanisms of the Council of Europe were insisting that children must have equal protection. The Parliamentary Assembly had called for the continent to become a corporal-punishment-free zone for children as quickly as possible. It was imperative that Member States should enable children to actively take part in that struggle. The active participation of children was in itself a remedy against violence. Children must never be made or allowed to remain invisible, as invisible children were easy prey to perpetrators of violence.

19. Children were particularly vulnerable in situations of war and armed conflict, as physical, mental and sexual violence escalated and social structures and safety nets broke down. Norway welcomed Security Council resolution 1612 (2005) on children and armed conflict. The reporting and monitoring mechanism on children in armed conflict must be given the necessary resources to carry out its mandate in an efficient and transparent manner. There was a need for follow up to the recommendations in the report of the Special Representative of the Secretary-General for Children and Armed Conflict concerning the importance of systematic engagement by the Security Council, deployment of child protection advisers to peacekeeping operations, the incorporation of children and children's issues throughout peacekeeping processes and the engagement and interaction with civil society.

20. **Mr. Koshnaw** (Iraq) said that the suffering of Iraqi children knew no end; in addition to the multitude of traumas experienced during three decades of war and embargo, they were currently at daily risk of being killed, injured or disabled in terrorist attacks and landmine explosions. Nevertheless, with the encouragement of the State and relatives, they were managing to pursue their education and join in the efforts to rebuild Iraq. Measures were being taken to strengthen and promote the rights of children in Iraq, for whom provision had been made in the draft Constitution. For instance, the Government was endeavouring to enact or amend legislation in order to eliminate violence against children, as well as increase the number of child welfare institutions and review their funding. Moreover, in the context of ending the military recruitment of children, Iraq had stated its intention to accede to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict when the next Government was formed. He appealed to the international community, in particular the United Nations and humanitarian organizations, to cooperate with Iraq's governmental and non-governmental organizations in devoting special attention to the situation of Iraqi children in order to alleviate their suffering and give them a stable life. He thanked all those who had already lent assistance for that purpose and hoped that such efforts would continue until Iraq was again stabilized and secure.

21. **Mr. Nkingiye** (Burundi) said that his delegation was greatly concerned by the plight of children in armed conflict. There was a need for greater awareness and mobilization of public opinion to assist such children. A follow-up mechanism for that purpose must

also be established. His delegation welcomed the recommendations put forward in the report of the Special Representative of the Secretary-General for Children and Armed Conflict (A/60/335) in that respect. Furthermore, as stated in the Secretary-General's report to the Security Council on the protection of civilians in armed conflict (S/2004/431), it was still necessary to develop "further measures to promote the responsibility of armed groups and non-State actors" (para. 16).

22. Several positive developments had been registered since the end of the period covered in the report of the Secretary-General on children and armed conflict (A/59/695-S/2005/72). Two of the parties mentioned in the report — the Conseil national pour la défense de la démocratie (CNDD) of Leonard Nyangoma and the Conseil national pour la défense de la démocratie — Forces pour la défense de la démocratie (CNDD-FDD) of Pierre Nkurunziza — had become political parties, which allowed for the quartering of their combatants. Demobilization and reintegration, including former child soldiers, were under way. His Government therefore called on the international community to firmly support its efforts to reintegrate them into social and economic life.

23. His Government hoped that the remaining party that had not yet laid down its arms — the Parti de libération du peuple hutu-Forces nationales de libération (PALIPEHUTU-FNL) — would begin negotiations to end the conflict in Burundi definitively and that a solution would be found to the problem of children in situations of armed conflict. Lastly, his Government called on the movement to cease recruiting children or engaging in any action that might undermine the integrity and well-being of children in Burundi.

24. **Mr. Al-Mekrad** (Kuwait) said that he wished to emphasize the importance of the goals set out in "A world fit for children", which, together with the 2005 World Summit Outcome, represented a major step towards fulfilment of the commitments undertaken at the Millennium Summit. He also emphasized the importance of regularly gathering information on the situation of violence against children, in which connection he looked forward to completion of the final report of the independent expert for the United Nations study on the subject. Kuwait was a youthful society whose children received early attention through the child-related plans and programmes elaborated by various governmental and non-governmental institutions, the benefits of which were reflected in the country's high human development ranking. Kuwait's numerous associations for children with special needs and disabilities also worked to ensure that such children were socially integrated and enjoyed the same rights as other children.

25. Kuwait's concern for children extended beyond its own territory; it had established the Kuwaiti Association for the Advancement of Arab Children and had been publishing an Arab children's magazine for almost 20 years, in addition to which it participated in international conferences and symposiums on child-related subjects. It had acceded to the Convention on the Rights of the Child in 1991 and ratified its two Optional Protocols, as well as acceding to the ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour. Given the mass of problems still facing children in many areas of the world, the time had come for the international community to recharge its efforts to ensure that the conventions aimed at protecting children's rights and securing their future were implemented in both letter and spirit.

26. **Ms. Otani** (Japan) said that the four major goal areas set out in the Plan of Action adopted at the General Assembly's special session on children, in 2002 — namely, promoting healthy lives, providing quality education, protecting against abuse, exploitation and violence and combating HIV/AIDS — were important in building a world fit for children, which would itself be a major step towards meeting the commitments made at the Millennium Summit. While progress had been achieved in those areas, much still remained to be done to alleviate the suffering of children worldwide.

27. Japan, for its part, had taken specific measures to ensure the effective implementation of the Convention on the Rights of the Child, whose Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography it had ratified in January 2005. It had enacted new or revised laws and established a national plan of action to combat the sexual abuse, exploitation and trafficking of children, addressing in particular the growing problem of child prostitution via the Internet. It had also taken comprehensive measures to combat trafficking in persons, including an amendment to its Penal Code, cooperating in international action to that end with other countries and faith-based organizations

and through the United Nations Trust Fund for Human Security.

28. For Japan, human security meant the protection of the individual and promotion of his or her empowerment. That was the idea behind her country's Flash Support for Consolidation of Peace in Africa, under which Japan contributed to international efforts in support of community rehabilitation and assistance in Sierra Leone, Rwanda and northern Uganda, consolidation of peace in the Sudan, for which it had made an emergency grant, and reinforcement of the family through support to crisis-affected households in the Democratic Republic of the Congo. Noting in that connection the establishment by the Security Council of a monitoring and reporting mechanism on children in situations of armed conflict, she looked forward to its early implementation.

29. Stressing that children were particularly vulnerable to natural disasters, she said that Japan had been active, in cooperation with non-governmental and other organizations, in providing support to victims of the tsunami in the Indian Ocean and of the recent earthquake in Pakistan, in particular through emergency assistance to United Nations system organizations.

30. *Mr. Anshor (Indonesia) took the Chair.*

31. **Ms. Thomas** (Cuba) said that what had been achieved in improving the situation of children in the world was insignificant in relation to the challenges. She referred in particular to the report of the Secretary-General (A/60/175), which included statistics demonstrating the harshness of the conditions suffered by almost half the world's two billion children. There was therefore an urgent need to address the real causes of that suffering, which lay in the unjust international order and in the ever-growing differences thus created between the rich and the poor.

32. Social development was the only way of really tackling the roots of poverty among children and effectively addressing the economic and social problems affecting them. In that regard, the principles enshrined in the Convention on the Rights of the Child, which Cuba had been one of the first countries to ratify, offered the most appropriate framework for action. Indeed, on that basis, Cuba had developed measures to improve the situation of children, inspired by a new social, cultural and political philosophy.

33. In Cuba, 100 per cent of children had access to all health-care services, while 99.4 per cent of primary school-age children attended school, including those receiving special education, benefiting from a pupil/teacher ratio of 20 to 1. In addition, art, theatre, dance and music had been opened throughout the country.

34. Her country was however impeded in its efforts by the economic, commercial and financial blockade imposed on the country, which made it difficult for it to have access to medicine and technology or to provide better social benefits. Cuba nevertheless remained determined to continue doing everything possible to help create a world fit for children.

35. **Mr. Halabi** (Syrian Arab Republic) said that his country was a youthful society and therefore gave maximum priority to children and their welfare, as manifested in its national plan and policy approaches aimed at improving the status of children. A high-level committee on children had been formed to deal with all child-related issues and follow-up implementation of the Convention on the Rights of the Child and the two Optional Protocols, as well as implementation of the outcome of the special session of the General Assembly on children held in 2002. A national plan for the protection of children against violence, abuse, neglect and exploitation had also been presented to the Syrian President and Government in early October 2005. Health indicators, including infant and under-five mortality rates, had improved considerably as a result of the national efforts made on behalf of children. For over three decades, the country had additionally sought, inter alia, to link education with sustainable development and make it accessible to both sexes. Primary education was compulsory and the Syrian labour laws prohibited the employment of anyone under 15 years of age, while the Penal Code prescribed heavy penalties for violence against minors.

36. The continuing Israeli occupation of the Syrian Golan, however, had adverse repercussions on the lives of Syrian children and was a major impediment to their rights under the Convention; Israeli nationality was imposed on them, they were denied free access to information and they suffered from the severe shortage of available health facilities. As in previous years, he again regretted that the Special Representative of the Secretary-General for Children and Armed Conflict had been unable to report on the suppression and killing of Palestinian children by the Israeli occupation

authorities. He nevertheless hoped that the violence perpetrated against children in the occupied Syrian Golan by those same authorities would receive the attention it deserved in the final report of the independent expert for the United Nations study on violence against children. In the interest of evolving a comprehensive and systematic strategy for eliminating the rising tide of violations against children, especially in the Middle East and North Africa, he stressed that there was no room for double standards or selectivity in addressing the issues relating to the children around the globe who were affected by armed conflict and foreign occupation.

37. **Ms. Henouda** (Algeria) said that the almost universal rate of accession to the Convention on the Rights of the Child was a clear sign of the importance that the international community attached to the protection of children. For all that, and notwithstanding the growing international consensus on that issue, the situation of children remained highly precarious in many countries in the world. Indeed, because they were the most vulnerable, children were the main victims of poverty, pandemics and armed conflicts. Homeless, deprived of education, uprooted, recruited as child soldiers, millions of them were subjected to every form of exploitation. Recalling in that connection that seven of the Millennium Development Goals concerned children directly, she stressed that having access to education, medical care, food, safe water and housing was also part of human rights.

38. Africa had already become aware of the issues involved and had accordingly adopted, under the auspices of the Organization of African Unity, a Charter on the Rights and Welfare of the Child, while the New Partnership for Africa's Development (NEPAD) was designed to serve as a comprehensive framework for eradicating the socio-economic obstacles to the full development of African children. Lacking, however, the means to meet all the challenges facing it, Africa counted on the combined efforts of the international community to reduce the negative effects of globalization on the developing countries, achieve the goals of sustainable development and restructure its action around the question of the right to development.

39. Algeria, for its part, had since independence given priority to the social welfare and well-being of children, carrying out to that effect intersectoral plans of action to reduce infant mortality, improve the food situation of children, promote universal access to basic education and give assistance to children living in difficult conditions. It had actively participated in the preparatory process for the special session of the General Assembly on children and had spared no effort to implement the plan of action adopted on that occasion. In September 2005, it had submitted its second periodic report to the Committee on the Rights of the Child; it had ratified ILO Convention 182 for the Elimination of the Worst Forms of Child Labour; and it had replied in good time to the questionnaire in preparation for the study by the Secretary-General on violence against children.

40. *Mr. Butagira (Uganda) resumed the Chair.*

41. **Ms. Tincopa** (Peru) said that the main objective of development was the well-being of children and young people, whose rights had accordingly to be respected, in particular through the elaboration by the State of a strategic plan of action giving priority to the eradication of poverty and the reduction of social inequality through appropriate policy measures. Peru was, to that end, carrying out a national plan of action for children and adolescents for the period 2002-2010, drawn up in consultation with State institutions and civil society and designed to introduce structural changes in their situation, which continued to be marked by social and other inequalities, leading often to exposure to early employment, dropout, economic and sexual exploitation, drug addiction, alcoholism and HIV/AIDS infection. One of its top priorities was to combat poverty and reduce social inequality, and to that end it sought to improve health, education, food security, family and community welfare, provide protection against violence, exploitation and abuse and involve young people in decision-making.

42. Peru had recently launched two national campaigns: to promote the right of each child to a name and identity, encouraging in particular the registration of all births; and to develop a culture of respect for children and young people, in keeping with the country's policy to combat violence, notably against the young.

43. The Medium-Term Strategic Plan of the United Nations Children's Fund (UNICEF) for the period 2006-2009 would enable each country or region to draw up targeted programmes or strategies, geared to specific conditions. In addition, the cross-cutting gender approach in the Plan would be valuable in promoting equity, seeking to eradicate all forms of

violence and discrimination against girls and women, and combating HIV/AIDS. She concluded by reaffirming Peru's commitment to promoting the rights of children and young people.

44. **Mr. Hannesson** (Iceland) said that Iceland remained fully committed to implementing the Convention on the Rights of the Child and its two Optional Protocols, which it had already ratified. He urged other countries likewise to become parties to those instruments. He welcomed the progress made in implementing the commitments made at the special session of the General Assembly on children through translation into national policies and strategies.

45. Violence against children existed in all societies in varying degrees. Iceland had made it the explicit duty of parents to protect children from violence and had banned them from inflicting corporal punishment on them. Again, Iceland urged Member States that had not taken similar legislative measures to do so, and likewise to reflect the provisions of Security Council resolution 1539 (2004) in their efforts to ensure the safety and security of children in conflict areas. His country supported the work being done in the United Nations system on that subject, as it did the efforts being made internationally to combat the commercial sexual exploitation, trafficking and sexual abuse of children, which were among the greatest threats to children in the world.

46. On the subject of children without parental care, he drew attention to the Recommendation of the Council of Europe's Committee of Ministers on the rights of children living in residential institutions and expressed support for the recommendation of the Committee on the Rights of the Child to draw up a set of standards for the protection and alternative care of children without parental case for consideration by the General Assembly in 2006. He concluded by emphasizing the importance attached by his country to action to safeguard the rights and interests of children, reflected in its substantially increased contribution to UNICEF in 2005.

47. *Ms. Carnhalo (Portugal) took the Chair.*

48. **Mr. Al-Afifi** (Oman) said that his country, which firmly believed that children were the foundation of society and the ends and means of development, attached particular importance to children and their welfare. The Government had therefore adopted expert-assisted programmes and plans in the interest of children, including reconstitution of the National Committee for Child Welfare, as part of a comprehensive strategy to monitor the efforts to follow up and implement the provisions of the Convention on the Rights of the Child. An orphan-fostering scheme had been introduced and nurseries throughout the country played an important pre-school role in developing children's learning capacities. The National Programme of Action for Children was also an affirmation of the country's determination to pursue its efforts and achieve successes to add to those already accomplished in primary health care, for instance, which had led to a reduction in the under-five mortality rate. Various ministries also ran a programme for families on coping with young children and a conference on violence against women had been held, in conjunction with UNICEF, representing a positive step towards linking such violence with human rights.

49. He was proud to say that violations of children's rights were non-existent in Oman, which complied with all the international instruments on the subject. It had acceded to the Convention on the Rights of the Child in 1997 and ratified its two Optional Protocols at the end of 2004. Committees had also been formed to raise awareness of the provisions of the Convention among childcarers. International reports on the status of children in Oman testified to the successes which his country had achieved for its children, to whom it was fully committed.

50. **Ms. Kulzhanova** (Kazakhstan) said that the practical implementation of the Convention on the Rights of the Child and of the outcome of the special session of the General Assembly on children depended on the effectiveness of international assistance to countries in need. Although some progress had been achieved in the improvement of the status of children, many problems persisted. The advancement of women and children was an integral part of Kazakhstan's national development programme. The Government had strengthened its legislation to implement the provisions of the Convention on the Rights of the Child and was taking steps to improve children's access to education, health care and social assistance. There was no gender disparity in education and primary education was compulsory for both boys and girls.

51. Kazakhstan pursued a multisectoral approach to the promotion of children's rights and had sought to involve various non-governmental organizations and youth movements. Government programmes had been

developed in a number of areas, including legal protection and health-care reform, and a project on teaching children and adolescents non-violent behaviour was being carried out in conjunction with UNICEF. A government plan of action to combat and prevent human trafficking was also being implemented. Other achievements included the establishment of crisis centres for female and child victims of violence and the adoption of a law on the prevention of juvenile delinquency, child neglect and homelessness of children. A bill on domestic violence was currently being drafted.

52. The Government of Kazakhstan was tackling those problems in close cooperation with international organizations and various United Nations specialized agencies. It recognized the invaluable work carried out by UNICEF and had been making voluntary contributions to the agency in recent years.

53. **Mr. Israeli** (Israel) said that his Government was committed to the principles outlined in the Declaration of the Rights of the Child and in the outcome of the special session on children.

54. Israel had built a cross-sectional infrastructure to enhance its efforts to promote and protect children and was coordinating many of its efforts with non-governmental organizations, including an association for the planning and development of services for minors at risk. The pluralistic nature of Israeli society presented unique challenges for the development of policies to protect children. In an effort to be both effective and ethnically sensitive, Israel was developing tailor-made programmes for Bedouins and other population groups.

55. Caring for children was a global concern. Israel offered training courses on a wide range of issues concerning children and would be pleased to share its experience with the international community.

56. **Mr. Saeed** (Sudan) said that the increasing interest in children's issues and concerns was clear evidence of the wider awareness of children's rights and the desire to protect those rights, as exemplified in the national programmes and projects implemented in conjunction with the United Nations. The international and regional concern for children's rights had culminated in the special session of the General Assembly on children in 2002 and adoption of the Plan of Action entitled "A world fit for children", the four major goal areas of which were reinforced by the Millennium Development Goals. Coordination and stronger regional and international partnerships, however, remained the most successful means of furthering the efforts already made.

57. The Sudan had been among the first to sign and ratify the Convention on the Rights of the Child and had also recently signed its two Optional Protocols. Through a national action plan, great progress had been made in regard to health, education and the supply of safe drinking water, and efforts to enact and harmonize legislation with the Convention and its Optional Protocols continued. The establishment of the National Council for Child Welfare had also provided an institutional framework for the planning, sponsorship and supervision of child-related programmes and projects, while the signing of the Comprehensive Peace Agreement had ushered in climate favourable to development. Programmes and schemes had been started for the reintegration of children affected by the war, and in that connection he looked forward to effective support from UNICEF, with which the Sudan already enjoyed close cooperation. Lastly, he appealed to the international community to take the action needed to end the Israeli practices responsible for the suffering and deprivation of innocent Palestinian children; their fundamental rights, including the right to life and the right to an independent State, should be guaranteed.

58. **Mr. Kariyawasam** (Sri Lanka) said that Governments had a continuing obligation to build a child-friendly world, in accordance with the Declaration and Plan of Action set out in the document entitled "A world fit for children". The 2005 World Summit outcome had identified the use of children in armed conflicts as a growing threat which required urgent global attention. Sri Lanka expected the United Nations agencies to redouble their efforts regarding children and armed conflict and called for a new mandate for the Special Representative of the Secretary-General for children and armed conflict and for sustained funding of the Office of the Special Representative from the United Nations regular budget.

59. His delegation was pleased that paragraph 8 of document A/60/335 shed light on an important aspect of the United Nations practice of listing parties to armed conflicts and that paragraph 51 of the same report clarified the Special Representative's sensitive role in engaging both Governments and insurgent groups. Although it was necessary to maintain dialogue

with insurgents, a pragmatic balance should be struck between that need and the overriding obligation under international law to protect children and halt systematic grave violations. The time had come for the United Nations to promote a policy of zero tolerance regarding violators of children's rights and to deny them any cover of legitimacy that might be conferred by their interactions with United Nations representatives and other international entities. The international human rights community, especially the Human Rights Watch, Amnesty International and the Coalition to Stop the Use of Child Soldiers, were to be commended for their leadership efforts in that regard.

60. His delegation particularly welcomed reminder in paragraph 11 of the report that certain acts against children were war crimes. Sri Lanka was of the opinion that the recruitment of children by the armed group, Liberation Tigers of Tamil Eelam, consisted of four grave violations, namely attacks against schools and civilian centres; abduction of children; denial of humanitarian access for children; and the use of children in armed conflict.

61. The Government of Sri Lanka wished to commend the Security Council, the Secretary-General and the Special Representative for having sent a strong signal through Security Council resolution 1612 (2005) that punitive action must be taken against violations of the rights of children in armed conflict. The Government was currently working with relevant United Nations agencies to set up a task force on monitoring and reporting, as envisaged in the resolution.

62. *Mr. Butagira (Uganda) resumed the Chair.*

63. **Mr. Ouattara** (Burkina Faso) said that social development had become a main priority for Governments in developing countries. Burkina Faso had ratified the Convention on the Rights of the Child in 1990, and the Government had drawn up a strategic framework for 2006-2015 for the promotion of children, in accordance with the conclusions of the World Summit for Children. It also intended to pursue a zero-tolerance policy with respect to the genital mutilation of girls. Given the prevalence of child trafficking in the African subregion, a convention on human trafficking had recently been signed in Abidjan, with a view to the development of a regional strategy. With regard to the protection of neglected children in Burkina Faso, the department of social services was currently monitoring some 6,000 children.

64. Burkina Faso aligned itself with the commitments set forth in the final document of the special session of the General Assembly on children and hoped that the reform initiated by UNICEF would be approved by the members of its Executive Board. The national partners of UNICEF had adopted a plan on children's rights in the fields of education, health, communication for development and cultural activities to support the work of government departments and non-governmental organizations. Burkina Faso had also established a children's parliament, whose representatives were permitted to attend all national proceedings on children's rights and express its views. Also, the Government had undertaken a number of actions to reduce the vulnerability of young people to HIV/AIDS. Development policies everywhere should be aimed at reducing poverty and providing security so that children everywhere could live longer, healthier and more peaceful lives.

65. **Mr. Rokolaqa** (Fiji) said that 190 States had ratified and acceded to the Convention on the Rights of the Child since its entry into force in 1990. The members of the international community needed to cooperate with each other to identify solutions and allocate resources for problems such as abuse, violence, poverty and disease, which afflicted children in the developing countries in particular. Fiji was pleased that the United Nations agencies were providing financial and technical support to Member States to help them implement national programmes aimed at combating those problems.

66. Fiji had ratified the Convention on the Rights of the Child in 1993 and had established a national committee on children to monitor the implementation of programmes and activities. A family law act had also been introduced to reinforce parental responsibility for children. Recognizing that education contributed to the achievement of the Millennium Development Goals, Fiji had made primary education compulsory and was taking steps to make secondary, vocational and higher education accessible to all.

67. Fiji faced a number of health challenges including child mortality, which had remained steady over the past decade. The Government had allocated the largest share of its annual budget to the Ministry of Health to implement preventive and curative health-

care programmes and awareness programmes on reproductive health and HIV/AIDS.

68. There were signs that minors were being forced to work and that children were being lured into the sex industry by both local and foreign adults. To combat that problem, Fiji had signed a memorandum of understanding with the Australian Government and had ratified two international conventions against child labour. Fiji was currently taking steps to bring national laws and policies into line with those conventions.

69. Finally, Fiji had demonstrated its firm resolve to protect children from abuse in the areas of armed conflict and sexual exploitation by ratifying the two Optional Protocols in order to protect children from abuse during armed conflict and from sexual exploitation. His Government called upon civil society, non-governmental organizations and international agencies to provide financial and in-kind assistance to ensure their full implementation.

70. **Ms. Núñez de Odremán** (Bolivarian Republic of Venezuela) said that her Government had focused its policies on social justice, seeking to eradicate poverty and social exclusion. Social policies in the country represented a strategic instrument for the elimination of inequality, discrimination and poverty among children and adolescents. Her country had ratified the Convention on the Rights of the Child and the two Optional Protocols to the Convention. With regard to protection, it had a national child and adolescent protection system whose highest authority was the National Council for Child and Adolescent Rights. The system had its legal basis in the National Constitution and the Organic Law on the Protection of Children and Adolescents. In addition, care units had been established to process complaints about the violation of the rights and guarantees of children and adolescents, documents had been drawn up to prevent the sale and trafficking of children, and the birth registry had been updated. Her Government had approved a law on the social responsibility of radio and television as well as legislation for the comprehensive protection of children and adolescents.

71. The Strategic Social Plan (2001-2007) of the Ministry of Health and Social Development was generating awareness of the need to protect health, giving priority to local activities to improve living conditions and provide universal access to quality services, with emphasis on children. The Government had established the Social Investment Fund to meet the needs of the poor and the socially excluded, including children, adolescents and single mothers. The Ministry had also been implementing the National Strategic HIV/AIDS Plan since 2001, which focused on halting vertical transmission and on preventing sexually transmitted diseases and HIV/AIDS, early pregnancies, and violence in the family. The Government had also established a national public health system to take the measures necessary for the prevention of all types of abuse and violence.

72. With a view to resolving the problems of social exclusion, particularly the exclusion of the poorest sectors from school, the Bolivarian Education System had been established which included early childhood education under Plan Simoncito. The Ministry of Education was developing a series of policies aimed at providing quality education for all by providing programmes in such areas as education from the womb to age six, integrated care and non-conventional education for indigenous children, alternative educational arrangements, and the school meals programme.

73. The National Council for Child and Adolescent Rights had formulated guidelines for the protection of the rights of adolescent workers and had also authorized follow-up to and participation in the national programme on working children and adolescents. The right of migrant children to education and training was also guaranteed, since all children in Venezuela were allowed to continue their studies in the Bolivarian schools.

74. Her country condemned all forms of violence against children and adolescents and noted with concern any recruitment of children by armed groups. It supported all initiatives aimed at improving the situation of children affected by armed conflict and greater effort should therefore be made to include issues related to the protection of children in the programmes of the United Nations system. The minimum age in the country for entry into the armed forces and participation in armed conflict was 18 years old. National law also encouraged the training and education of members of the armed forces in respect for human rights, especially those of children and women.

75. Her country firmly condemned trafficking in children and adolescents, inter alia, for sexual

exploitation, forced labour, slavery or the removal of organs. In that context, it had signed the United Nations Convention against Transnational Organized Crime and the two Protocols on smuggling of migrants and trafficking in persons. To prevent child prostitution and the use of children in pornography, the National Council for Child and Adolescent Rights had approved general guidelines for the protection of children and adolescents against sexual abuse and commercial sexual exploitation. An Intersectoral Commission against Sexual Abuse and Commercial Sexual Exploitation had also been established.

76. **Ms. Al-Sadoon** (Bahrain) said that special attention was devoted to the family, including children, in Bahrain's National Action Charter and in its Constitution. The State also attached particular importance to the physical, moral and intellectual development of young people. At the international level, the current decade was characterized by efforts to ensure implementation of the legislation on children's rights, which had developed at a surprising pace over the previous decade or so, in order to reach such goals as those proposed in the report of the Secretary-General entitled "We the Children: End-decade review of the follow-up to the World Summit for Children" (A/S-27/3). It was therefore essential to translate the political consensus on children into effective action, in which context children's rights and specific child-related development goals were best pursued within the broader framework of human rights. To that end, well-integrated children's programmes and programmes to support families could play an influential role. The Millennium Development Goals were closely linked to the main commitments declared at the special session of the General Assembly on children, held in 2002, and six were directly related to children.

77. Bahrain had acceded in 1992 to the Convention on the Rights of the Child, the provisions of which were consistent with its Constitution and the national legislation, policies and programmes developed over the past 30 years and more. Among the other conventions to which it had acceded were the International Labour Organization (ILO) Convention No. 138 concerning the Minimum Age for Admission to Employment and ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour. A national committee for children had been formed in 1999 in order to coordinate child-related activities, further the development of children in all age groups and monitor children's problems and essential needs with a view to proposing solutions and achieving the desired objectives. According to World Health Organization (WHO) indicators, infant and maternal mortality rates had fallen as a result of the improvement in health-care services delivered by trained personnel. Safe drinking water was now also universally supplied. Specific focus was placed on disadvantaged groups; orphans were taken care of under a foster programme, for instance, and received a monthly allowance, as did families in need and widowed women. Bahrain spared no efforts in its attempts to ensure prosperity for families in all sections of society and looked forward to achieving further successes on that score.

78. **Mr. Kadiri** (Morocco) said that the Convention on the Rights of the Child was an important legal pillar to protect children against any abuse. The entry into force of the two Optional Protocols to the Convention on the Rights of the Child had strengthened the international legal framework in that area. However, despite all the efforts of the international community, children in several regions of the world remained in very difficult situations. The international community must therefore strengthen its efforts by taking the national and international measures needed to protect the rights of the child.

79. Morocco had undertaken measures aimed at preparing children to meet the challenges of the future. In that connection, the 2003 reform of the Criminal Code and Code of Criminal Procedure had established criminal responsibility at the age of 18 years and had set up children's courts, improving the procedures for them to follow. Real progress had been made with the entry into force of the Civil Status Act in 2002, which made it compulsory to register births and also allowed children born out of wedlock to enjoy civil status. The recently adopted Family Code represented a milestone in promoting the rights of women and children. Considerable progress had also been made in combating child labour through a new Labour Code. The Code prohibited the employment of children under 15 years and strengthened the penalties for non-compliance. The Moroccan Government had also recently adopted a draft decree listing the work prohibited to minors under 18 years of age, women and persons with disabilities.

80. His Government had implemented an annual strategy aimed at reducing illiteracy to below 20 per cent by 2010, with a view to eradicating it almost entirely by 2015. In that connection, the Mohammed V Foundation for Solidarity had established 40 new centres in order to allow girls and orphans, particularly from rural areas, to continue their studies in an appropriate environment.

81. Morocco had hosted a number of conferences and meetings related to the rights of the child, including the second Arab-African Conference on Sexual Abuse, Exploitation and Violence against Children and the first meeting of the forum for the protection of children in conflict with the law. Morocco, with the support of UNICEF, had organized awareness-raising days for locally elected representatives and those responsible for defending and promoting the rights of the child. Non-governmental organizations in Morocco were also playing an important role in promoting the rights of the child, both at the national and international levels.

82. **Ms. Donovan** (International Labour Organization (ILO)) said that the elimination of child labour was an attainable goal towards which her organization was working by means of international labour standards and technical cooperation. The fundamental international standards in that area were the Convention concerning the Minimum Age for Admission to Employment (Convention No. 138) and the Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (Convention No. 182). The former Convention had been ratified by 80 per cent of ILO member States and the latter by 87 per cent of them. The increasing ratification of the Conventions was having a substantial, if uneven, effect on country performance. For example, while there was a marked increase in the setting of policies and the adoption of legislative provisions, there was much less emphasis on effective measures to protect the most vulnerable child workers, including child soldiers and the girl child.

83. ILO estimates indicated that 246 million children aged 5 to 17 years had been involved in child labour worldwide in the year 2000. Of those, 171 million had been involved in work hazardous to their safety, physical or mental health or moral development, and 8.4 million had been subjected to the worst forms of child labour. ILO would release new estimates in its 2006 global report on child labour.

84. A number of countries had translated commitments to combat child labour into action by engaging in time-bound programmes with ILO under its International Programme on the Elimination of Child Labour. Time-bound programmes comprised comprehensive policies and measures with clear goals, specific targets and a defined time-frame aimed at preventing and eliminating the worst forms of child labour. By the end of 2005, 20 such programmes would be fully operational. A number of other countries were also applying similar approaches without ILO technical or external financial support.

85. An ILO study entitled "Investing in Every Child — An Economic Study of the Costs and Benefits of Eliminating Child Labour" had concluded that child labour could be eliminated over the following 15 to 20 years at a total cost of $760 billion. That figure constituted less than 10 per cent per annum of the world's total debt service over the next two decades and would yield $5 trillion in improved productivity, increased wages and reduced health costs, not to mention its unquestionable humanitarian, ethical and political benefits. Gender aspects should also not be overlooked in action against child labour, since girls and boys were not always affected by it in the same way. There were already numerous examples of how to ensure gender mainstreaming and promote gender equality in that area.

86. Her organization continued to combat child labour in close cooperation with the United Nations human rights bodies, especially the Committee on the Rights of the Child. The two Optional Protocols to the Convention on the Rights of the Child had lent added impetus to the Convention and the two issues covered by them constituted the worst forms of child labour, which needed to be tackled as a matter of urgency.

87. ILO specifically focused its interventions on the most vulnerable groups that had suffered or might suffer from armed conflicts. Through its International Programme on the Elimination of Child Labour, ILO had initiated a major intervention in 2003 for the socio-economic rehabilitation of children and adolescents demobilized from various armed conflicts. The Programme complemented the international efforts of other United Nations agencies and non-governmental organizations in that area. In September 2005, ILO had pledged to cooperate in the implementation of the monitoring and reporting mechanism on children and

armed conflict under Security Council resolution 1612 (2005).

88. Her organization would continue to place special emphasis on the trafficking of children for labour or sexual exploitation. It was estimated that some 1.2 million children worldwide fell victim to trafficking each year. Countries must therefore adopt effective legislation, in line with international standards, against such practices. In that respect, ILO welcomed the Council of Europe Convention on Action against Trafficking in Human Beings and the recent adoption of a multilateral cooperation agreement to combat child trafficking in Western Africa by nine African countries. Effective legislation must be accompanied by concrete action to prevent trafficking in children, direct assistance to remove children from trafficking situations and appropriate arrangements for their rehabilitation and social integration.

The meeting rose at 1 p.m.

United Nations A/C.3/60/SR.17

General Assembly
Sixtieth session

Official Records

Distr.: General
7 November 2005

Original: English

Third Committee

Summary record of the 17th meeting
Held at Headquarters, New York, on Monday, 17 October 2005, at 3 p.m.

Chairman: Mr. Anshor (Vice-Chairman) ..... (Indonesia)

Contents

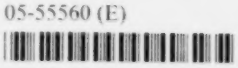
Agenda item 107: International drug control (*continued*)

Agenda item 67: Promotion and protection of the rights of children (*continued*)

This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of publication* to the Chief of the Official Records Editing Section, room DC2-750, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate corrigendum for each Committee.

05-55560 (E)



In the absence of Mr. Butagira (Uganda), Mr. Anshor (Indonesia), Vice-Chairman, took the Chair.

The meeting was called to order at 3.05 p.m.

Agenda item 107: International drug control (*continued*) (A/C.3/60/L.9)

Draft resolution A/C.3/60/L.9: international cooperation against the world drug problem

1. **Ms. Feller** (Mexico) introduced the draft resolution, on behalf of the original sponsors and Afghanistan, Azerbaijan, Chile, Ecuador, Israel, Japan, Panama, Peru, the Philippines, Saint Vincent and the Grenadines, Tajikistan and Turkey. As in previous years, the fact that the sponsors came from various regions of the world demonstrated the international community's ongoing support. In line with efforts to revitalize the Organization, the current year's draft had been simplified and streamlined in an effort to update and consolidate it. Following discussions at the forty-eighth session of the Commission on Narcotic Drugs, new paragraphs had been added on the importance of strengthening communities, fighting HIV/AIDS in the context of counter-narcotics programmes, collecting reliable data and maintaining a gender perspective in programmes that targeted drug users. Delegations were on the verge of reaching agreement on the final text, which she was confident would be adopted by consensus.

2. **Ms. Sharma** (Assistant Secretary of the Committee) announced that Andorra, the Democratic Republic of the Congo, Djibouti, Indonesia, Iraq, Kazakhstan, the Libyan Arab Jamahiriya, Mali and Myanmar had also joined in sponsoring the draft resolution.

Agenda item 67: Promotion and protection of the rights of children (*continued*) (A/60/175 and Corr.1, 207, 282 and 335)

3. **Mrs. Asmady** (Indonesia) said that her Government fully shared the Secretary-General's view that most of the goals in the final document of the special session, entitled "A world fit for children", would be achieved only through a major intensification of action for disadvantaged children and families across the world (A/60/207, para. 89). In that regard, Indonesia was constantly making progress in implementing its child-related policies thanks to better resource allocation and a strong commitment from its political leaders. The President had been exemplary in that regard, having emphasized on various occasions the critical role of human capital in national development.

4. Initiatives by her Government included the national programme for Indonesian children, which had been particularly successful in providing quality education and protecting children from abuse, exploitation and violence; the programme entitled "Creating Learning Communities for Children", introduced in close cooperation with the United Nations Children's Fund (UNICEF) and the United Nations Educational, Scientific and Cultural Organization (UNESCO); "Education for All" initiatives to track school attendance and strengthen mobile libraries; and a national action plan on combating trafficking in persons, especially women and children, and eliminating the commercial sexual exploitation of children. The latter plan had led to an increase in the number of policewomen investigating cases of trafficking in women and children and strengthened legal protection for trafficking victims, including mutual legal assistance.

5. Her Government was also doing more to ensure that the health needs of Indonesian children were met in a timely fashion, through its programmes on maternal and newborn mortality, micronutrient deficiency, child malnutrition and vaccine-preventable diseases, particularly polio and measles. Together with UNICEF and the World Health Organization (WHO), it had also implemented a series of national immunization weeks, while at the grass-roots level, it was revitalizing 15,000 village health posts across nine provinces. Moreover, on the occasion of National Children's Day, the President had drawn attention to the alarming impact of drugs and pornography on children's growth and development, calling on parents, schools and communities to work with the authorities concerned to protect children from such abuse.

6. Lastly, her Government had responded quickly to the needs of children affected by the December 2004 tsunami and prohibited children from leaving Aceh in order to protect them from trafficking and other forms of exploitation and because it was in their best interests to be with their families and native community. The recent signing of a final agreement in Helsinki would ensure the full implementation of "A world fit for children" for all Indonesian children.

7. **Mrs. Pi** (Uruguay) said that her delegation was pleased at the large number of countries that had ratified the Convention on the Rights of the Child and appealed to those States that had not yet done so to become parties to the Convention and its Optional Protocols. Respect for human rights involved relations between people, between people and institutions, and between people, institutions and the State. Consequently, the practical task of protecting human rights was first and foremost a national task and the prime responsibility of the State, even though it required the help of national organizations and the international community to ensure compliance with existing legislation and full respect for those rights.

8. Uruguay believed that every child and adolescent enjoyed rights that were inherent in the human person, such as the right to be heard and to obtain answers when decisions were taken that affected his or her life. The State had undertaken to protect the rights of all children and adolescents under its jurisdiction and to afford them special protection against, inter alia, abandonment, sexual abuse or exploitation, discrimination, harassment, segregation, economic exploitation and cruel, inhuman or degrading treatment. Even though poverty indicators showed that the economic crisis in the country from 2002 onwards had severely affected children, Uruguay continued to maintain a certain level regarding the enjoyment of certain important rights, for example the provision of universal primary education from the age of four.

9. The promotion of human rights called for awareness-raising and education, as the protection of such rights depended on people being aware of their rights and of the mechanisms that existed to ensure respect for them. At the same time, education must be considered a fundamental human right and as such must be not only compulsory, but also free, so that it could be enjoyed by all sectors of the population. As the Secretary-General had stated in his report on follow-up to the special session of the General Assembly on children (A/60/207, para. 56), while problems such as armed conflict, child labour, child trafficking and HIV/AIDS created serious impediments, investing in basic education was clearly a major preventive measure against HIV/AIDS and child labour and was central to winning the fight against poverty

10. Drawing attention to the many worrying cases of violence, exploitation, abuse and worst forms of child labour that still existed throughout the world, the devastating impact of HIV/AIDS and the particular vulnerability of children in situations of armed conflict and natural disasters, and noting her delegation's regret that violence, abuse and cruel, inhuman and degrading treatment still persisted in communities, schools, institutions and workplaces, she welcomed the work being done by UNICEF and the International Labour Organization (ILO) to revise laws and support child-rehabilitation programmes, as well as the tireless efforts of the other United Nations bodies and of civil society.

11. The fact that children and adolescents were among those most vulnerable to poverty reinforced the poverty cycle, as it affected human and social capital and the well-being of future generations. A lack of proper nutrition during the first few years of life affected children's intellectual development and ability to learn. It was therefore important to help poor families during pregnancy and the early years of life and to intensify efforts to provide universal early education in the poorest sectors and from an increasingly early age. Noting the high incidence of pregnancy, dropout, unemployment and demotivation among adolescents and the fact that children from poor households faced a high risk of repetition and dropout, she said that overcoming poverty among children and adolescents required the entire household to achieve that goal. Post-crisis policies to overcome poverty must therefore target the current generation of children, adolescents and young adults, so that an impact would be made on children born in the next decade.

12. As agreed by the General Assembly in paragraph 17 of its resolution 59/261 on the rights of the child, the international community should cooperate, support and participate in global efforts to eradicate poverty, in order to ensure that the internationally agreed development goals, including those set out in the Millennium Declaration, were realized, as investments in children and the realization of their rights were among the most effective ways to eradicate poverty.

13. Uruguay was convinced of the importance of implementing the rights of the child, in particular those enshrined in the Convention on the Rights of the Child and its Optional Protocols and other international human rights instruments, in particular the ILO Minimum Age Convention (No. 138) and the ILO Worst Forms of Child Labour Convention (No. 182).

14. **Mr. Abusif** (Libyan Arab Jamahiriya) highlighted the gross violations of the rights of the child that continued to occur, and emphasized that reuniting child refugees with their families was key to preventing the forcible conscription of child soldiers in areas of armed conflict. The international community's efforts had fallen short of its commitments in recent years, and grave violations of the rights of the child, including violence, prostitution and pornography, continued. Child labour remained a widespread phenomenon and many countries were not taking sufficient measures in that regard, notwithstanding that most countries had ratified ILO Convention No. 182. In Palestine, children were harassed by Israeli soldiers, and were deprived of adequate housing, regular schooling and sufficient health care, in violation of international instruments on the rights of the child. In Africa, children faced armed conflict, poverty, malnutrition, rape and AIDS.

15. The Libyan Arab Jamahiriya was a signatory to all instruments relating to the rights of the child. It had established maternal- and infant-care centres, while a Higher Committee for Childhood oversaw all matters related to the child, and was responsible for policies and programmes to ensure the well-being and health of children.

16. **Ms. Enkhtsetseg** (Mongolia) said that her Government was encouraged that, three years after the special session on children, progress on its follow-up revealed a more promising picture, with many countries having adopted plans of action on children and taken action to implement the goals in the final document of the special session. However, her Government fully concurred with the Secretary-General's report (A/60/207) that current efforts needed to be reinforced in order to achieve those goals on time.

17. Immediately following the special session, her Government had adopted a national programme to promote and protect children. It reflected all aspects of children's development and protection and aimed to create an enabling environment to promote their self-development, education and health care. In addition, Mongolia had become the second country in the region to adopt a policy on integrated early-childhood development. The policy, which aimed not only to support children's rights but also to boost investment in human and socio-economic development, would enable the Government to address early-childhood issues in a more holistic manner and make social services for children more effective.

18. The State policy on public health stressed the importance of improving client-oriented services, particularly access to reproductive health care for vulnerable groups and in remote regions, and of strengthening partnerships in providing health-care services in remote areas. A new system of family clinics provided primary health care close to the client. One of the main objectives of the Government's current plan of action was to further decrease infant and maternal mortality. In the past decade, infant and maternal mortality had been halved, while child-vaccination rates had almost doubled. Since 2002, in cooperation with UNICEF, a programme on basic social services had been implemented in rural areas to promote child and maternal health and nutrition and child development. As a result, access to basic services for children and mothers had improved considerably.

19. The national programme for improving disabled people's livelihood and certain laws and regulations were designed to create a favourable environment to improve access to basic services for children with disabilities. Under a programme on education for children with special needs, a unit had been established to develop a national policy and facilitate its implementation. Although considerable progress had been achieved in restructuring the public education system, equitable access to quality education still remained a challenge. In that regard, her Government was implementing programmes on education for all and informal education. A series of training courses for teachers had been organized and alternative programmes on basic education developed.

20. Recalling that Mongolia had recently submitted its combined second and third periodic reports to the Committee on the Rights of the Child, she said that her Government was keen to follow up on the Committee's recommendations, which were now being widely disseminated at local and national level. Mongolia was also taking action to implement the other child conventions to which it had acceded through gradual harmonization of its legislation. As a sign of the Government's commitment to protecting the rights of the child, one of the commissioners on the national human rights commission had been given responsibility for overseeing the rights of the child. A law against domestic violence had been adopted in 2004 and several thematic years in support of the child,

the family and youth had also been organized. Mongolia was firmly committed to sparing no effort in making a "world fit for children".

21. **Mr.** Win **Mra** (Myanmar) said that Myanmar had joined over 100 other countries in making the outcome document of the United Nations special session on children operational by adopting a national programme of action for the promotion, protection and development of children. It had also taken part in regional initiatives, including those of the Association of Southeast Asian Nations and the East Asia and Pacific region.

22. Myanmar had tackled the serious problem of mortality rates for children under 5 through programmes for safe motherhood, safe delivery and early care for newborns, women's and children's health, greater immunization coverage, promotion of oral hydration therapy and improved nutrition. To avoid iodine deficiency — a common cause of mental retardation in children — Myanmar had greatly increased iodized-salt consumption to cover most households.

23. By implementing "Education for All" initiatives, Myanmar was aiming to reach the targets for primary education in the outcome document of the special session on children and the Millennium Development Goals. The restoration of peace and stability in border areas after a period of insurgency had enabled the number of schools to be increased.

24. In order to prevent children from falling victim to violence and exploitation, the Department for Social Welfare, as the focal point for children's issues, trained social-welfare officers, probation officers and caregivers, and would begin training police officers, social workers, lawyers, judges and prison officers. It also used mobile teams to conduct training workshops on child protection throughout the country.

25. Myanmar had acceded to the Convention on the Rights of the Child in 1991 and had subsequently promulgated a law on children. Although the Secretary-General's 2005 annual report on children and armed conflict (A/59/695) had included Myanmar among the situations of concern, Myanmar was clearly not a country in armed conflict, with 17 major insurgent groups having turned to active cooperation with the Government to develop their regions. Nobody under 18 could be recruited into the army in Myanmar, which had enacted legislation, established a high-level committee and drawn up a plan of action to prevent and monitor recruitment of child soldiers. In a spirit of transparency, the Government was cooperating closely on that matter with the representatives of the United Nations Development Programme (UNDP) and UNICEF.

26. It was lack of resources, and not lack of political will, that prevented developing countries from implementing the goals of the United Nations special session on children. Children in the developing world were born with a burden of debt which must be reduced if they were to reach their full potential.

27. **Ms. Fatouma** (Niger) said that the Niger had resolutely pursued the objectives of the World Summit for Children through its programmes for the survival, protection and development of children and for nutrition, poverty reduction and combating HIV/AIDS, and also through its policies for social development, health and education. In the interests of improving children's economic and social situation, the Niger had also ratified and implemented international treaties including the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child, the African Charter on the Rights and Welfare of the Child and ILO Convention No. 182 on the Worst Forms of Child Labour.

28. Despite its depressed economic situation and poor food security, the Niger had never lacked political commitment to fulfil the aims of the World Summit for Children. In partnership with donors and its subregional neighbours, it had focused on children suffering from malnutrition, street children, those who had undergone genital mutilation, and those with HIV/AIDS. It had had the Convention on the Rights of the Child translated into the national languages, harmonized legislation and set up children's courts, provided centres to treat childhood diseases and organized vaccination campaigns.

29. However, serious obstacles such as rapid population growth and social, cultural and resource problems stood in the way of efforts to improve the situation of children. Intensified action was needed in order to mobilize resources for the implementation of the poverty-reduction strategy, coordinate partners' actions to protect children, implement the 20/20 Initiative on resource mobilization for children, strengthen children's rights monitoring, assess how to

cater for children with special needs, identify social and cultural impediments to implementation of the Convention on the Rights of the Child, improve primary health care and encourage communities to become involved.

30. **Ms. Laohaphan** (Thailand) said that the international community was still failing the world's children, with six million dying every year from preventable diseases, 29 million remaining un-immunized, increasing numbers living with HIV/AIDS, millions deprived of primary education and millions suffering violence, and the worst forms of child labour.

31. Following broad consultation with Government agencies, intergovernmental and non-governmental organizations, civil society and children themselves, Thailand had put in place a national strategy and plan of action to implement the goals of the special session on children. Although Thailand's Constitution specified that all children should receive 12 years of free basic education, the Government was aware of the gap between theory and practice and was working to address shortcomings. However, by eliminating gender disparities in primary and secondary education, it had fulfilled Millennium Development Goal 3. Furthermore, having already reduced infant mortality, Thailand was working to reduce it to 15 per 1,000 live births by 2015. As better health care and socio-economic conditions had helped to reduce the mortality rate for children under five, Thailand was on the way to meeting Millennium Development Goal 4.

32. Thailand had introduced new laws and strategies to counter violence against children and was finalizing arrangements to become a party to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict and to the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. It believed that violence against children could not be addressed without addressing violence against women. In June 2005, Thailand had hosted the East Asia and Pacific regional consultation on the United Nations Study on Violence against Children, focusing on children's vulnerability in cross-border migration, including migration involving exploitation for sex and labour.

33. The statistics in the report of the Special Representative of the Secretary-General for Children and Armed Conflict (A/60/335) served as a reminder of the number of children killed, injured, permanently disabled or forcibly displaced and of the need to reform the Organization to ensure that it improved protection of children.

34. **Ms. Bethel** (Bahamas), recalling that, at the 2005 World Summit, the Member States had reaffirmed their commitment to facilitating social and economic development, eradicating poverty, preventing environmental degradation and preserving the world for future generations, said that the Millennium Development Goals remained a critical point of departure for collective efforts to meet those commitments.

35. Conscious that its future prosperity and development depended on its children, the Bahamas believed that it must safeguard the well-being of the one third of its population which was under 18. Despite the difficulty involved in providing social and other services in its many inhabited islands, the Bahamas had invested in its children, convinced that no child should go hungry, be without a home, remain illiterate or be abused or abandoned. Every child had a right to protection and respect from the family, the community and the State. The framework for the Government's efforts was the Convention on the Rights of the Child.

36. Recognizing that no progress could be achieved without a healthy population, the Government had devoted substantial resources to providing universal access to health care on every island. Ninety per cent of children under 5 were immunized against preventable diseases and infant mortality rates had fallen dramatically in the previous decade. The single largest share of the national budget was spent on providing universal access to education up to the age of 16, with free primary and secondary schooling available without discrimination to all children. Many public schools also provided free pre-school facilities.

37. The international community had not succeeded in preventing children from suffering abuse, violence and exploitation, but the Government was determined to eradicate practices which harmed children and deprived them of their human rights. A comprehensive act was designed to cover children in need of care and protection, children in care, and children detained or brought before a court.

38. The Caribbean region was the world's second most affected by HIV/AIDS. The Government had

waged an intensive campaign through care, treatment and prevention, awareness-raising and education. It was working to protect children, by pursuing equal access to anti-retroviral drugs, particularly for HIV-positive pregnant women. Mother-to-child transmission had been reduced to under 2 per cent. While it cherished traditional extended families, it recognized that they were sometimes unable to care for those orphaned by the disease, and intervened to provide care and support when required.

39. **Mr. Tesfu** (Ethiopia) said that his Government's National Plan of Action focused on the four major goals of the final document adopted at the special session on children.

40. First, the Government planned to increase health-care coverage to two thirds; reduce maternal and child mortality by one third; improve nutrition, sanitation and water facilities; control major fatal diseases such as HIV/AIDS; and reduce infectious diseases. To do so, the Government intended to increase the annual health share of the budget to more than 10 per cent and build up an electronic health-information system.

41. Second, the Government intended to expand quality pre-primary education to 90 per cent of Ethiopian children and increase secondary-education participation rates to 20 per cent. To ensure better-trained teachers, a lower student-teacher ratio and textbooks for all students, the education share of the budget would have to be increased to 20 per cent.

42. Third, the Government had designed specific programmes to protect children from all forms of exploitation, violence and other harmful traditional practices. It also planned to provide assistance, such as food, nutrition and shelter, to children in particularly difficult circumstances. The programmes included registration of the birth of every child, awareness-creation activities as well as reintegration programmes for street children, HIV/AIDS orphans, commercial sex workers and other vulnerable children. The Government planned to promulgate legislation banning female genital mutilation, abduction and other harmful traditional practices.

43. Fourth, through action to combat HIV/AIDS, the Government planned to reduce that disease among young people by 25 per cent.

44. Encouraging overall progress had been made over the past year. The objectives of the national plan of action had been integrated into government policies and programmes. Aware that the previous plan of action had been over-ambitious and inadequately funded, the Government had made proper organizational arrangements for the implementation of the current plan. The existing child-rights committees had been strengthened and a national programme to assist orphans and vulnerable children had been formulated. Action plans to prevent the commercial exploitation of children and the development of a civil-registration and statistics system were in the final stages of preparation.

45. **Mr. Chimphamba** (Malawi) said that investing in children, as the future of the nation, was a priority for his Government. Believing that if children were properly nurtured they would contribute to development, the Government had put in place a number of child-specific policies, covering such issues as early-childhood development, orphans and other vulnerable children, gender and HIV/AIDS. Programmes being implemented also covered health promotion, quality education, protection against exploitation and violence, as well as action to combat HIV/AIDS.

46. In an attempt to reduce Ethiopia's very high infant and child mortality, his Government had adopted an integrated-management approach to deal with major children's illnesses. A national malaria policy had been approved and efforts to reduce child mortality linked to HIV/AIDS-prevention strategies. The Government's "essential health package" incorporated preventive, educational and clinical services delivered through the community, health centres and district hospitals.

47. The Government's recently launched national plan of action for orphans and other vulnerable children was a major milestone towards improving the lives of children made vulnerable by HIV/AIDS, poverty and other social and economic factors. The Government was grateful for the invaluable support from international agencies and hoped that it would continue.

48. The provision of quality education remained a serious challenge, and the current policy addressed such issues as poor school attendance, enrolment and dropout at all levels, as well as gender balance.

49. The Government continually assessed and revised laws pertaining to international human rights instruments. It had recently reviewed legislation on

child justice, care and protection and had stepped up advocacy and awareness-raising programmes targeting children at risk.

50. **Ms. Ciroma** (Nigeria) said that, following her Government's ratification of the Convention on the Rights of the Child in 1991, the National Assembly had enacted the Child Rights Act, under which it was an offence to discriminate against a child on grounds of gender, ethnic origin, religion and physical or mental ability. The Act also set out the rights and responsibilities of the Nigerian child and provided for a child-justice administration.

51. Federal and state legislation addressed issues of child protection and the prohibition of practices inimical to the welfare of the child such as trafficking, early marriages, street hawking, child labour and the withdrawal of girls from school.

52. Recognizing that education was a key element in the promotion of children's rights, the Government had introduced a universal basic-education programme which provided for compulsory and free education for all school-age children up to junior-secondary level. The Government had also initiated a programme that provided one balanced meal to every schoolchild each day, with a view to improving attendance.

53. Concerned by the increasing practice of trafficking in persons in the region, especially children, the Government had established the National Agency for the Prohibition of Trafficking in Persons to enforce current legislation. The agency brought to justice those engaged in child trafficking and operated nationwide a rehabilitation programme for child victims. Nigeria had entered into bilateral arrangements with Benin and Italy to eliminate trafficking in persons, especially women and children. In cooperation with several other countries in the region, Nigeria was also party to a multilateral agreement on trafficking in persons.

54. The Government had consistently supported efforts to put an end to the recruitment and use of children in armed conflict. It reiterated its support for the strengthening of the Office of the Special Representative of the Secretary-General for Children and Armed Conflict, especially by means of a substantial increase in its budget.

55. HIV/AIDS and other infectious diseases had had a disastrous effect on children, and the situation was exacerbated by the increase in the number of families living in extreme poverty in developing countries. Consequently, Nigeria had adopted a poverty-alleviation strategy that offered credit to rural women and universal vaccination against polio, measles and meningitis, as well as the distribution of insecticide-treated mosquito nets to children in rural areas. In December 2005, a nationwide measles-immunization campaign would be launched.

56. Experience in Nigeria had shown that national efforts and resources were not enough to tackle poverty and maintain a high-quality health-care programme. The Government of Nigeria called upon the international community to assist developing countries in their fight against infectious diseases and extreme poverty, for the sake of the children.

57. **Ms. Blitt** (Canada), speaking also on behalf of Australia and New Zealand, said that the countries she represented had been among the most active co-sponsors and supporters of the annual omnibus resolution on the rights of the child of the United Nations Commission on Human Rights. For the past three years, however, they had called upon the sponsors to consider new approaches to the issue, as too much time was spent going over old ground and repeating the debate on agreed standards. Insufficient time was left to address new and critical issues.

58. She called upon Member States to consider ways to promote a more meaningful debate on the rights of the child in United Nations forums. Such a review was a natural part of the current process of reform and renewal of the United Nations and was necessary in advance of the establishment of the Human Rights Council. The status of the Convention on the Rights of the Child should be examined biennially by the General Assembly, as was the case with the Convention on the Elimination of All Forms of Discrimination against Women.

59. The adoption of Security Council resolution 1612 (2005) on children affected by armed conflict was a ground-breaking call for action. It established a comprehensive monitoring and reporting mechanism, containing a threat of measures against those who continued to commit violations. She called upon Member States to: undertake an active campaign urging the Security Council to implement the resolution through the prompt creation of a working group; ensure that the United Nations Children's Fund (UNICEF), civil society and those working at the field level had sufficient funding; continue close

coordination among United Nations agencies, including with the Programme of Action on Small Arms and Light Weapons; renew the mandate of the Special Representative of the Secretary-General for Children and Armed Conflict for a three-year term; and ratify the Optional Protocol to the Convention on the involvement of children in armed conflict and the Rome Statute of the International Criminal Court.

60. The Convention on the Rights of the Child had achieved near-universal ratification. The three countries called upon those Member States which had not done so to ratify the Convention in order to make it the first human rights treaty to achieve universal ratification.

61. **Mr. Sardenberg** (Brazil) said that his country had opted for a multisectoral approach to tackle the challenges of children's hunger and poverty. Its income-transference programmes had been united under the "Bolsa Familia" umbrella programme which linked income transference to action in the fields of health, nutrition and education, with emphasis on children's welfare. The Government had also established an action plan for children and adolescents that focused on the four major areas identified at the special session on children.

62. First, it was committed to reducing child-mortality rates, with a focus on family health, immunization and vaccination, and to reducing maternal mortality by expanding and improving sexual and reproductive health services. Second, promoting quality education was also a key area of action in the national plan, which was attempting to achieve full school attendance of children from 7 to 14 by 2007. To that end, the "Bolsa Familia" programme was transferring income to the families of children and adolescents provided they were attending the public-school system. Third, to protect children against abuse, exploitation and violence, Brazil had established a network to combat sexual violence against children and adolescents that provided assistance to children in situations of sexual violence, to promote awareness campaigns against the commercial and sexual exploitation of children and to strengthen an individual complaints system.

63. Fourth, combating HIV/AIDS was one of his Government's major priorities to ensure the protection of children's rights. It had established a programme for the human rights protection of people living with HIV/AIDS which distributed male condoms free-of-charge to adolescents. In an attempt to reduce the rates of mother-to-child transmission of HIV/AIDS, an infantile lactose formula was supplied to the mothers of HIV/AIDS-infected babies.

64. Given the lack of information available on the impact of hunger and poverty on children, he welcomed research carried out by the Innocenti Research Centre and expressed his support for the report of the independent expert for the United Nations study on violence against children (A/60/282), which would most certainly be instrumental in raising awareness of that issue with a view to the promotion and protection of children's rights.

65. **Mr. Hamidon** Ali (Malaysia) welcomed the fact that in the past year more countries had taken action to incorporate the goals and commitments agreed during the special session on children into their national policy and planning instruments, but much remained to be done and most of the goals of "A world fit for children" would be achieved only through a substantial intensification of action on behalf of disadvantaged children and families across the world.

66. Malaysia had made significant progress since the World Summit for Children. Its first national plan of action for children had addressed the issues of survival and protection, and had achieved nearly all its objectives. The second national plan of action, covering the period 2001-2020, focused on the issues of development, protection and participation of all children in anticipation of the full-fledged process of globalization. It addressed all areas of concern affecting social and developmental needs as well as the protection of the rights of children. A number of programmes had already been carried out to strengthen the role of the parent and the family. Malaysia's social policy, adopted in 2003, had also helped to consolidate the Government's commitment towards promoting and protecting the rights of children. The Department of Social Welfare, under the Ministry of Women, Family and Social Development, had been restructured and given additional resources in 2005, and a dedicated unit for children had been established.

67. Malaysia commended the invaluable support and commitment of United Nations development agencies in assisting Member States in implementing policies, plans and programmes as proposed by the Plan of Action for "A world fit for children". Many of the issues faced by children were closely related to underdevelopment, poverty and conflict, and could not be solved unless the underlying developmental issues were addressed and the countries concerned were provided with the necessary resources and assistance.

Malaysia urged the relevant United Nations agencies to continue their efforts in assisting developing countries to establish and strengthen national capacities and institutions. The international community must take concrete actions to ensure that the rights of children were respected and protected.

68. **Ms. Adjalova** (Azerbaijan), noting that the Secretary-General's report (A/60/207) had acknowledged the progress made by Central and Eastern Europe and the Commonwealth of Independent States in the follow-up to the special session on children, said that her country had been actively involved in regional discussions on children's rights. Azerbaijan was currently adopting the DevInfo database system for compiling and presenting child-related data and data on Millennium Development Goals, with the assistance of UNICEF. It was also engaged in demographic and health surveys.

69. Azerbaijan, which had ratified the Convention and its Optional Protocols and had submitted combined second and third periodic reports to the Committee, had invited its chairperson to visit the country in early 2006. Azerbaijan was making efforts to mainstream the rights of the child in school curricula; in cooperation with the Organization for Security and Co-operation in Europe (OSCE), it was planning to launch a pilot project on human rights education based on the Convention for children 10-12 years old.

70. Azerbaijan was committed to halving infant and child mortality by 2015. The issue remained a cause of concern, with rates significantly higher in rural areas and areas of temporary refugee settlement. Another issue of concern was that of children living without parental care, and the Government was employing measures to de-institutionalize and return children to their families. A State programme on de-institutionalization and alternative care was in the process of being adopted.

71. Lasting and just resolution of armed conflicts on the basis of the norms and principles of international law remained a key factor in protecting the rights of children, and all children affected by armed conflicts should be given particular attention by the international community, which should redirect its efforts from elaborating standards to ensuring their application on the ground. In Azerbaijan, the situation of children affected by armed conflict remained a challenge. The country had a large number of internal displacements, and there was a need for continued international assistance in improving the living standards of those affected.

72. **Mr. Bwiswmuthiary** (India) said that the fact that an estimated 1 billion of the world's 2.2 billion children under the age of 15 were living in poverty, with 29,000 children under the age of 5 dying every day, largely from preventable diseases, was a stark reminder for the international community to pay more attention to the development of children everywhere, with special focus on regions where they were most vulnerable, such as sub-Saharan Africa. Very little could be achieved without addressing the underlying causes: while the need to focus attention on children's rights was paramount, there should be commensurate attention and support for their developmental needs, chiefly adequate and nutritious food, civic amenities, basic health services and access to education. The interrelated aspects of poverty, development and children's rights were self-evident. India urged specialized funds and agencies to give particular attention to those aspects in their future studies, and particularly welcomed the Secretary-General's initiatives for an in-depth study of violence against children.

73. India, which had the largest child population in the world, had ratified the Optional Protocol on the sale of children, child prostitution and child pornography, and was in the process of ratifying the Optional Protocol on the involvement of children in armed conflict. Elementary education was a fundamental right in India, and the Government had resolved to increase public spending on education to at least 6 per cent of GDP, and at least half of that amount would be spent on primary and secondary education. There was a special emphasis on girls in the universal elementary-education scheme.

74. India was committed to eliminating child labour in all its forms, and was moving in that direction in a targeted manner. It had banned the employment of children under the age of 14 in factories, mines and other hazardous environments, and had regulated the working conditions of children in permitted occupations. The strategy recognized that child labour was inextricably linked with poverty and illiteracy and could not be solved by legislation alone. A holistic and concerted effort to tackle the problem was necessary.

75. At the beginning of 2005, India had adopted a policy of action for children, extending all rights to all children up to the age of 18 by encompassing child survival and development, child protection and child participation. The Government was in the process of

establishing a national commission for children for the better promotion and protection of their rights within the larger context of upholding values to strengthen the family, society and the nation.

76. India appreciated the work of the Special Representative of the Secretary-General for Children and Armed Conflict (A/60/335), and considered it essential that measures to improve the plight of such children should be developed through a consensual approach involving Member States and the relevant United Nations bodies. It welcomed the recommendations on reaching out to children involved in armed conflict, both combatants and victims, and reintegrating them, taking into account local values and traditions.

77. **Ms. Rasheed** (Observer for Palestine) said that every year millions of children were suffering the consequences of armed conflict. Palestinian children knew all too well the grave effects of armed conflict, and in particular of foreign occupation, since Israel's 38-year occupation had robbed them of their most basic human rights, including the right to life and personal security. The impact had been not only on their immediate physical integrity and mental health but also on their future well-being, safety and development. The intensification of the occupying Power's military aggression in the past five years had resulted in a dramatic deterioration in the situation of human rights in the Occupied Palestinian Territory, including East Jerusalem, causing even more harm and suffering for Palestinian children. In the past five years more than 800 children had been killed by the Israeli occupation forces and thousands had been injured, many of them suffering permanent disabilities. The overwhelming majority had been killed while sleeping in their homes, playing in the street or sitting in their classrooms. Others had been killed while protesting against the occupation or engaging in symbolic acts of resistance, such as stone-throwing. They had also been victims of crimes and abuses by armed illegal settlers, and on innumerable occasions had been brutally beaten, terrorized and even killed by Israeli settlers, whose crimes continued to go unpunished.

78. Palestinian children continued to be denied an adequate standard of living, basic health care and even access to food and education. They had been irreparably traumatized and scarred, forced to live in constant fear, insecurity and turmoil. While the most obvious form of violence was direct physical harm, indirect violence had also had a devastating social and psychological traumatic effect, resulting in fear, anger and depression stemming from the constant sound of bullets and tank fire, the demolition and destruction of their homes and the death of their loved ones. The ideals enshrined in "A world fit for children" could not exist under a military occupation which infringed every aspect of their lives.

79. Urgent efforts must be undertaken to bring an end to that situation and to bring hope to their lives. Her delegation expressed its concern that the report of the Special Representative for children in armed conflict had continued to ignore their suffering, and called upon his Office to make every possible effort to give the situation of Palestinian children the attention it warranted. Her delegation would be resubmitting the draft resolution adopted at the previous session entitled "The situation of and assistance to Palestinian children", which it trusted would receive overwhelming support. The reality on the ground required that the Committee should send a clear, strong message of hope to Palestinian children by adopting it by consensus.

80. **Mr. Taranda** (Belarus) said that ensuring the rights and well-being of children was the key to sustainable development, peace and security. There were grounds for optimism, but it was necessary to continue to take active collective measures to resolve the many problems that remained. Belarus had established the institutional basis for promoting and defending the rights of children, and was bringing its legislation closer into line with the Convention. Its strategy was based on the current national plan of action to improve the situation of children and protect their rights. Belarus was a party to the Optional Protocol on the sale of children, child prostitution and child pornography, and was taking the necessary steps to accede to the Optional Protocol on the involvement of children in armed conflict.

81. The most flagrant violation of children's rights was the sale of children. The United Nations and Member States should ensure more systematic coordination of efforts and exchange of experience in that regard. Belarus proposed that those efforts should be brought together in the framework of a global partnership against slavery and human trafficking in the twenty-first century. In the context of defending the rights of the child, Belarus believed that particular emphasis should be placed on minimizing the harmful effects of environmental pollution on children's health and well-being.

The meeting rose at 5.20 p.m.

United Nations A/C.3/60/SR.18

General Assembly
Sixtieth session

Official Records

Distr.: General
21 November 2005

Original: English

Third Committee

Summary record of the 18th meeting
Held at Headquarters, New York, on Tuesday, 18 October 2005, at 10 a.m.

Chairman: Mr. Butagira ..... (Uganda)
later: Ms. Carvalho (Vice-Chairman) ..... (Portugal)

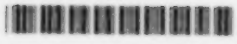
Contents

Agenda item 67: Promotion and protection of the rights of children (*continued*)

This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of publication* to the Chief of the Official Records Editing Section, room DC2-750, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate corrigendum for each Committee.

05-55699 (E)



The meeting was called to order at 10.05 a.m.

Agenda item 67: Promotion and protection of the rights of children (*continued*) (A/60/175 and Corr.1, A/60/207, A/60/282 and A/60/335)

1. **Ms. Holguín Cuéllar** (Colombia) said that the United Nations, in particular the United Nations Children's Fund (UNICEF) and the Office of the Special Representative of the Secretary-General for Children and Armed Conflict, had done much to improve the lives of children around the world. By committing to a cooperative approach and supporting national capacity, the United Nations had a unique opportunity to produce results, transforming words into tangible projects that made a difference in the lives of boys and girls around the world. The United Nations system should join with Governments in strengthening programmes to help children affected by poverty, orphanhood, HIV/AIDS, trafficking, sexual abuse and exploitation, physical and psychological abuse, natural disasters, and conflicts.

2. A comprehensive approach that on occasion included the family and the local community was imperative in solving the problems afflicting children. It was also important to cooperate with States on strategies and initiatives in the areas of education and technical training aimed at developing children's skills for productive employment as adults. Such an approach could provide a response to the problems of poverty and the demobilization of recruited children. Some of the main activities that could benefit from the support of the United Nations included investing in small and medium-sized businesses, involving the private sector, coordinating work with civil society, and building capacity.

3. In Colombia where children were recruited by illegal armed groups the United Nations could generate tangible results by acting forcefully in the areas of prevention, demobilization, and rehabilitation. Her Government would like to see the expeditious preparation of United Nations proposals on projects and programmes that could be implemented by the relevant entities together with Member States.

4. **Ms. Al-Mohmoud** (Qatar) said that her country had submitted its first national report on implementation of the Optional Protocol to the Convention on the Rights of the Child in the areas of child trafficking and the exploitation of children for prostitution and pornography. Qatar had also taken steps to protect children and women from violence and abuse at home, at work and in society at large, promulgating new legislation and creating a number of service organizations, including an institution that operated a hotline and emergency assistance service for children and women who were victims of abuse, violence and exploitation.

5. In accordance with article 42 of the Convention on the Rights of the Child, Qatar was coordinating its child protection efforts with those of international organizations. For example, the Supreme Council for Family Affairs had organized jointly with the Office of the United Nations High Commissioner for Human Rights training workshops to educate groups working with children about the objectives of the Convention. Held during 2004 and 2005, the workshops had been attended by paediatricians, judges, youth workers and labour inspectors. The Supreme Council for Family Affairs was also partnering with the United Nations Educational, Scientific and Cultural Organization to promote the cultural rights of students, producing educational material linking the Convention's principles with those of the Islamic sharia as a guide. A law had been enacted in May 2005 prohibiting the training and employment of children in camel races, and the Qatar House for Refuge and Social Welfare had been established.

6. **Mr. Khan** (Bangladesh) said that children were the most valuable asset of any nation. Despite the nearly universal ratification of the Convention of the Rights of the Child, the global situation concerning children remained mixed. There had been progress in many parts of the world, but children were still victims of poverty, armed conflict and trafficking, and other challenges, such as hunger, malnutrition, illiteracy, disability and HIV/AIDS, continued to exist. Bangladesh, which was a party to international and regional instruments designed to ensure the protection of children and had also enacted domestic enabling legislation in that area, believed that it was necessary to focus further on the situation of children affected by armed conflict and on the suffering of children under foreign occupation.

7. In Bangladesh, a separate ministry was devoted solely to the welfare of women and children, and the Government had already implemented two national plans of action. The third such plan, covering the period 2004-2009, focused on five main areas: food

and nutrition, health, education and empowerment of the girl-child, protection from abuse, exploitation and violence, and the physical environment. His Government accorded the highest priority to programmes such as Education for All, particularly for girls. Bangladesh had already achieved the third Millennium Development Goal target relating to gender parity in primary and secondary schools. An extended immunization programme had substantially reduced child mortality and malnutrition, and programmes were also under way regarding abandoned and street children.

8. **Mr. Mercado** (Philippines) said that the National Strategic Framework Plan for the Development Of Children (Child 21) focused on the holistic, integrated delivery of services to promote the health, nutrition, education, psychological care and social protection of children, and maternal care. His Government had embarked on a nationwide campaign to build capacity on target issues such as violence against children, nutrition, juvenile justice, the empowerment of children as participants in development, and effective parenting. The Declaration and Plan of Action adopted by the General Assembly in 2002 had emphasized the need to promote healthy lives, provide quality education, combat HIV/AIDS and protect children against abuse, exploitation and violence.

9. Although clear standards and measurable indicators had been set for those issues, greater efforts were needed to develop concrete goals, clearer norms and better cooperation to address situations that endangered children, such as armed conflict, trafficking, domestic violence, unsafe work conditions and conflict with the law. Juvenile justice was an area that merited greater attention. Children in detention were vulnerable to violence, cruel treatment and unfit conditions. Noting the frank assessment of the Committee on the Rights of the Child and the report of the Independent Expert, he said that law enforcement officials must be educated and compelled to observe national and international norms in the treatment of children. Moreover, those norms must be strengthened by national laws ensuring that law enforcement methods, detention conditions, and judicial processes were tailored to protect the rights of children in conflict with the law, and the Philippines was currently considering such legislation. Budgetary restraints and inadequate institutional capacity were two of the main obstacles in the way of achieving the lofty goal of "a world fit for children". Increased international financing could go a long way towards removing those obstacles. Countries should also make a special effort to address the broader issues of peace, stability and socio-economic development, with a view to improving the environment in which children lived.

10. **Mr. Hyassat** (Jordan) said that his country was continuing to carry out its obligations under the Convention on the Rights of the Child and other international instruments including the document entitled "A world fit for children", and had incorporated them in national strategies and work plans and in specific measures designed to create a favourable environment for the upbringing of children.

11. Jordan had enacted and amended laws and regulations including the Young People's Act, the Youth Probation Act and the Children's Rights Bill which was currently before parliament for adoption. The Government was endeavouring to make such legislation responsive to the needs of children and to focus on protecting them and preventing exploitation, especially with regard to employment. It had also established a number of institutions and units concerned with children, including the National Council for Family Affairs and the Family Protection Department, which handled cases of domestic violence and sexual aggression against children. A partnership was being created between the public sector and civil society, including non-governmental organizations. The Early Childhood Plan addressed child development in the fields of education and health and children with special needs. A national childhood plan (2004-2013) conferred on decision-makers in childcare institutions responsibility for devising detailed programmes for all age groups in a manner that respected the basic principles of children's rights.

12. **Mr. Chernenko** (Russian Federation) said that the Convention on the Rights of the Child was the basic document for the protection of children's rights, and the periodic reports on its implementation were the most important means of monitoring the enforcement of those rights at the country level. The Committee on the Rights of the Child had analysed the third periodic report of the Russian Federation, and its final comments would serve to guide the future action of the Russian Government in that area.

13. In accordance with the recommendations contained in the outcome document entitled "A world

fit for children", the Russian Federation had drawn up its national plan of action for children until the year 2010. Priority areas of the plan focused on improving children's health, education and economic conditions. His Government was continuing to increase budgetary allocations in the areas of health and education, which would have a direct impact on children's well-being. One of the elements in the major reforms under way included the establishment of a governmental commission on minors, acting as a central body for the inter-ministerial coordination of activities related to the protection of children's rights. New initiatives to increase protection for minors against violence included the recent adoption of a charter against violence and cruelty. The charter was aimed at preventing the dissemination of material promoting violence and cruelty and also at the self-regulation of the media, especially where children's rights were concerned.

14. His Government believed that the problems of children should receive high priority in national development and supported the further mobilization of efforts by the international community, at both the global and regional levels, to safeguard the rights of children to life, development and protection, including in the context of the Millennium Development Goals.

15. **Ms. Molaroni** (San Marino) said that everyone could agree that children were the most precious treasure of humankind. They were also the most vulnerable to war and poverty and bore the impact of adults' actions and decisions. Although important positive steps had been taken to protect war-afflicted children, all violations of children's rights during war should be monitored and reported and all those who deliberately targeted, abused or exploited children should be held accountable. San Marino had been among the countries that had insisted on the adoption of Security Council resolution 1612 (2005), which required Governments to take concrete measures to ensure the protection of children in armed conflict.

16. Her Government hoped that the Government of Uganda and the rebels belonging to the Lord's Resistance Army would find a negotiated solution to their conflict and look after the well-being of their children. Many children caught up in that conflict had been used as combatants or forced into sexual slavery. Calling for all countries to stop the violence against entire ethnic groups as well as children, she said that it was necessary to work together with international and humanitarian organizations to alleviate the suffering of those populations. Her Government was convinced that conflicts could and must be solved through dialogue, understanding and negotiation.

17. In 2005, her country had undertaken a number of humanitarian initiatives on behalf of children, mainly in Africa. The independent expert appointed by the Secretary-General had reported that the level of violence against children remained shocking. Insufficient financial and human resources were allocated to prevent and combat such violence. Children themselves were not properly informed about the opportunities available to them and their rights. In many countries corporal punishment was still practised in schools and there were no mechanisms to protect children from domestic violence, abuse and neglect. San Marino was particularly concerned about the growth of the sex industry involving children and urged all countries to take the appropriate steps to prevent child prostitution and child pornography.

18. **Mr. Nsemi** (Democratic Republic of the Congo) said that his Government had taken a number of institutional measures designed to promote the implementation of the Convention on the Rights of the Child and to collect and disseminate information on the status of children in his country. Congolese health and education strategies were based on recommendations made during the World Summit on Children and on the Declaration and Plan of Action approved during the special session of the General Assembly on children. Moreover, with backing from the United Nations Children's Fund, his Government had recently established a youth parliament.

19. In his country, thousands of children died before the age of five. Seventy per cent of those deaths were caused by malaria, acute respiratory infections, diarrhoea and HIV/AIDS. His Government was working to improve health services, provide education on nutrition and conduct vaccination campaigns against polio and other life-threatening diseases. Together with development partners and local communities, it was striving to rehabilitate the country's post-conflict educational infrastructure and to mobilize resources to implement a national plan to provide universal education for boys and girls. It had also adopted a plan to promote justice for minors by harmonizing and improving the legal framework.

20. The struggle against HIV/AIDS continued to be an impediment to socio-economic development in his country, as well as in other parts of sub-Saharan Africa. Noting the feminization of the HIV/AIDS pandemic, he said that the 2003-2006 national plan to combat HIV/AIDS included strategies to reduce mother-to-child transmission, and to support orphans and families with relatives who had been affected by the disease.

21. The Government had established priority action programmes designed to eradicate poverty but would be unable to achieve that goal without the help of development partners and the international community.

22. **Ms. Onyoni-Mogaka** (Kenya) said that her delegation noted with appreciation the reports of the Secretary-General contained in documents A/60/207, A/60/175 and A/60/282. It encouraged those countries that had not yet done so to sign, ratify and accede to the Convention on the Rights of the Child and its Optional Protocols and to take measures to implement them. The responses of Governments to the questionnaire of the Independent Expert for the United Nations study on violence against children would provide a basis for responding to the continued violation of children's rights. Kenya had already submitted its response and would continue to work closely with the independent expert. Her delegation encouraged regional and subregional initiatives aimed at developing mechanisms, instruments and policies to deal with the problem of war-affected children.

23. Welcoming the report of the Special Representative of the Secretary-General for Children and Armed Conflict (A/60/335), she urged that more resources should be allocated to the Office of the Special Representative to enable it to carry out its mandate effectively. It was incumbent upon the international community to protect children, who were the most vulnerable group in situations of armed conflict. Support by Member States of the Optional Protocols to the Convention on the Rights of the Child would establish the minimum age for recruitment into the armed forces. The provision of peacekeeping forces with a strong mandate to protect civilian populations would also help to alleviate the problem. Her delegation therefore welcomed the deployment of child protection advisers in United Nations peacekeeping missions.

24. Kenya had ratified the Convention on the Rights of the Child and its Optional Protocol on the Involvement of Children in Armed Conflict; had signed the other Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography; had recently ratified the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime; and had recently adopted national regulations to streamline and speed up the process of adoption, as well as regulations to protect children against the risk of sale, trafficking and abduction.

25. To address the huge problems resulting from the HIV/AIDS pandemic, her Government, in cooperation with the United Nations Children's Fund (UNICEF), the World Bank, civil society and other donors, had formulated a national plan for orphaned and vulnerable children. Considerable progress had been made towards the attainment of the Millennium Development Goals in the field of education. The free primary education policy had successfully enrolled both girls and boys in primary schools. However, the main focus remained on children in special circumstances, such as those affected by HIV/AIDS and extreme poverty.

26. Despite the advances made in the promotion and protection of children's rights, the rate of progress remained uneven. Her delegation therefore wished to see more international cooperation to monitor and evaluate the various initiatives for the implementation of the Convention on the Rights of the Child and its two Optional Protocols.

27. **Mr. Alaie** (Islamic Republic of Iran) said that much progress still had to be made if children and young people were to have a better life, particularly in developing countries. To that end, the international community should make more deliberate efforts to combat the violation of children's rights in situations of armed conflict and foreign occupation. More efforts were also needed to ensure the earliest possible prosecution of those responsible for war crimes against children.

28. As a party to the Convention on the Rights of the Child, the Islamic Republic of Iran had recently submitted its second periodic report on the implementation of the Convention for consideration by the Committee on the Rights of the Child. The latter had observed that the Islamic Republic of Iran was a

country where enormous reforms were taking place so that all children enjoyed the rights enshrined in the Convention.

29. In its development plans, his Government had provided the means for promoting the education of girls, narrowing the gender gap, revising or amending certain laws related to children, expanding preschool education, ensuring pre- and post-natal support, and enhancing children's participation in decision-making processes. The Ministry of Education had mostly focused its activities on increasing educational coverage for girls, especially in rural areas, and reducing the educational gap between urban and rural areas. In the field of health, his Government was developing and implementing the policies needed to control malnutrition and promote breastfeeding. Numerous non-governmental organizations had been directly or indirectly involved in issues related to children in the country. The Islamic Commission on Human Rights, an independent national institution, monitored and reported on the performance of different organs of the Government with respect to human rights issues, including those involving children. The Commission had also developed plans to provide education about the rights of the child.

30. **Mr. Noghès** (Monaco) said that the international community needed to demonstrate the political will to achieve its priority objectives, which must include the protection of children. To that end, it should make full use of the means available to it, including legal instruments such as the Convention on the Rights of the Child and its Optional Protocols. The Office of the Special Representative of the Secretary-General for Children and Armed Conflict and the independent expert for the United Nations study on violence against children should also guide collective action for the protection of children and the promotion of their rights.

31. Monaco unreservedly supported regional and national activities carried out in the field, since they made it possible to recognize the scale of the evils committed against children. The international community must combat all forms of violence against children. Monaco firmly opposed all forms of corporal punishment, honour crimes and all such practices as female genital mutilation and believed that the media could play a major role in raising awareness with a view to their elimination.

32. Poverty was an obstacle to development, especially as poverty-reduction strategies were rarely based on child protection issues. Monaco helped to improve the lives of children through various bilateral cooperation projects and international organizations. For example, the Government had responded to appeals by the World Health Organization (WHO) and UNICEF for vaccination campaigns against polio and meningitis; had helped to establish schools in certain sub-Saharan and West African countries; and had extended support to child refugees and disabled children by providing them with special accommodation and education adapted to their needs.

33. Children benefited from an effective social protection system in Monaco. Legislative provisions had been adopted in the Code of Criminal Procedure to ensure the prosecution of anyone committing criminal acts against children or offences against public decency in its territory, and also of nationals of Monaco committing such crimes or offences outside the country. The Code provided for the prosecution of anyone organizing or facilitating the sexual exploitation of minors on or outside national territory.

34. He hoped that Monaco would soon be in a position to announce its ratification of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography. Monaco's experts were working to amend and update domestic codes and laws so that they were in full conformity with the terms of the Protocol. In conclusion, he recalled that at the fifty-ninth session Prince Albert II had invited the international community to study ways of ending impunity for those who committed the worst crimes against children.

35. **Mr. Sebulime** (Uganda) welcomed the report of the Secretary-General contained in document A/60/207 and said that his delegation had taken note of the particular strengths and weaknesses in the follow-up process. The promotion and protection of children's rights was a very important aspect of Uganda's national policy. His Government had therefore implemented a universal primary education programme and would soon embark on one for secondary education.

36. Education was also one of the key defences against the spread of HIV/AIDS, to which women and girls were particularly vulnerable. His delegation therefore welcomed the objectives of the World AIDS

Conference to promote the role of women and girls in the fight against the pandemic. That campaign had been launched by the President of Uganda and follow-up guidelines were being developed by the Uganda AIDS Commission for dissemination to all relevant stakeholders countrywide. Uganda had recently held the fourth National AIDS Conference, bringing together HIV/AIDS researchers, professionals and practitioners to establish the basis for an evidence-based response to the pandemic. The Presidential Initiative on AIDS Strategy for Communication to the Youth was galvanizing all partners in the national fight against HIV/AIDS through education, information and communication initiatives to reach young people.

37. His delegation said that it was obvious from the statement of the Acting Special Representative of the Secretary-General for Children and Armed Conflict that the report contained in document A/60/335 was the product of her predecessor. Where Uganda was concerned, the report was laced with political activism instead of advocacy. The former Special Representative had, for many years, misused his Office to misrepresent the situation in northern Uganda, an area where he was born and raised. It was unfortunate that he had left without making a positive impact and that he had undermined his mandate with an ulterior agenda. The present report was simply a duplication of the report of the Secretary-General on children and armed conflict (A/59/695-S/2005/72), which had been written by the former Special Representative and had erroneously listed the Local Defence Units (LDUs) among the parties committing grave child rights violations. The present report continued to endorse allegations that were not based on balanced and objective research, thereby undermining the proposed monitoring and reporting mechanism.

38. His delegation's concerns about the former Special Representative had been borne out in the report of the Secretary-General contained in document A/59/331, which pointed to shortcomings in the way in which the Special Representative had addressed issues and concerns relating to children and armed conflict. United Nations actors, non-governmental organizations and numerous Member States had found reports prepared by the Special Representative lacking in appropriate content, analysis and tone. It had also been found that the working methods of the Special Representative had greatly diminished the impact of the efforts undertaken. His delegation found it regrettable that those shortcomings had been allowed to prevail at the expense of children, particularly those in northern Uganda, and it hoped that they would be rectified immediately. While it was right to name and sanction the terrorist group known as the Lord's Resistance Army (LRA), it was grossly wrong to list the Uganda People's Defence Force (UPDF) and LDUs in the same category. They did not use child soldiers but rather rescued the children abducted by LRA and protected the camps of internally displaced persons from further attack. His delegation therefore demanded that they should both be removed from the list in annex II to document A/59/695-S/2005/72 without further delay. His Government welcomed the issuance by the International Criminal Court of arrest warrants for the top leadership of LRA for crimes against humanity and war crimes. It hoped that all States would comply with those warrants and fully cooperate with the Court.

39. His delegation called upon the United Nations to ensure transparency, objectivity and professionalism in implementing its monitoring and reporting mechanism and in addressing the rights of children in armed conflicts.

40. **Ms. Mladineo** (Croatia) said that Croatia had in the past few years undertaken a broad national reform in the field of children's rights, resulting in the passage of new legislation: the Protection against Domestic Violence Act and the Ombudsperson for Children Act. The Ombudsperson institution was an independent, non-partisan body that coordinated all activities for the protection of children, in particular against violence and sexual abuse. In addition, her country had recently adopted a specific programme against trafficking in children. Croatia's national strategy for protection from domestic violence (2005-2007) and subsequent protocol included measures for the protection of children. On the basis of the commitments undertaken in 1990 at the World Summit for Children, the Government had revised a national action plan for children with the aim of improving conditions for the most vulnerable among them. It was particularly concerned about violence against children and had responded to the questionnaire for the United Nations study on the subject. At the national level, it had taken a number of steps in that area, adopting a programme of activities against violence among children and adolescents and a related protocol, together with an action plan against drug abuse.

41. Her Government enjoyed fruitful cooperation with the United Nations Children's Fund (UNICEF), with which it had signed a cooperation agreement aimed at creating a safe and stimulating environment for primary and secondary schoolchildren and raising public awareness about violence against children, for which purpose UNICEF had also conducted a campaign in the country. In 2004 Croatia had submitted its second periodic report to the Committee on the Rights of the Child, whose recommendations it had either already put into effect, as in the case of the protection of children's privacy in criminal proceedings, or was currently implementing. It also intended to include them in its priority activities for children's welfare programme 2006-2008. Croatia was currently preparing its first report under the two Optional Protocols to the Convention on the Rights of the Child and would continue to give high priority to the protection of children's rights.

42. **Mr. Diallo** (Mali), after specifying that the issues raised by the independent expert in paragraph 32 of his report (A/60/282) had been duly noted, said that his country endorsed the main conclusions in the reports before the Committee. His Government had ratified the Convention on the Rights of the Child and its two Optional Protocols and had submitted its second periodic report under that Convention in 2005, taking the opportunity to withdraw its reservation regarding article 16 thereof. Mali was also a party to the African Charter on the Rights and Welfare of the Child and ILO Conventions No. 182 and 138 for the elimination of the worst forms of child labour and on the minimum age for admission to employment, respectively.

43. In its efforts to build a world fit for children, Mali was hampered by extreme poverty and the weight of tradition. It had nevertheless achieved a number of notable advances, in particular by improving sanitation in houses and schools and introducing hygiene training in basic education. It had also made progress in fighting malaria through the provision of mosquito nets and in developing protection against polio through the organization of national vaccination days. In its efforts it had benefited from the support of development partners and from the fruitful partnership of United Nations system bodies, especially UNICEF.

44. Education was a high priority for the Government of Mali, and was receiving an increasing share in the State budget. New classrooms had been built, the salaries of teachers had been raised and more teacher-training institutes had been opened. Measures to promote gender equality in school enrolments had met with considerable success.

45. In conclusion, he referred to the steps taken in his country to protect children against ill-treatment, exploitation and violence, in particular, consciousness-raising about children's rights, establishment of a children's parliament, efforts to combat child labour, begging and cross-border trafficking, and sensitization measures to discourage the practice of female genital mutilation.

46. *Ms. Carvalho (Portugal), Vice-Chairman, took the Chair.*

47. **Mr. Constantino** (Angola) welcomed the progress achieved in strengthening norms for the protection of children and developing initiatives for the promotion of their rights, referring in particular to the well-nigh universal support given to the Convention on the Rights of the Child. Much more needed to be done, however, particularly by treating children's rights within a broader framework in which peace, development and human rights were seen as being mutually reinforcing. That meant that action to achieve the internationally agreed development goals, including those relating to human rights, should take into account their multidimensional, multisectoral and interdependent nature.

48. On emerging from a decade of civil war, Angola had benefited from partnerships with United Nations system bodies and civil society organizations in carrying out three major initiatives: a national measles campaign; a back-to-school campaign in all provinces; and the establishment of a national child protection framework for the reunification of separated families and the registration of births. Those initiatives had been decided on not only in response to specific problems but also because they set in motion processes contributing to the aims of the national strategy to combat poverty. They would thus help to reduce child mortality, promote education for all, promote the rights of children, contribute to the resettlement of millions of Angolans and restore basic health and education systems across the country.

49. Although the situation of children in Angola was still far from satisfactory, it had improved, in particular through the adoption of a national strategy to combat poverty. Progress had been made towards the Millennium Development Goals relating to access to

primary education, the reduction of infant mortality and the fight against malaria and other diseases. It was still necessary, however, to address the question of resource mobilization for development.

50. **Mr. Dhakal** (Nepal) said that the Government of Nepal remained committed to implementing the Convention at the national, regional and international levels, in partnership with other stakeholders, by seeking to remedy the ills and suffering to which children were exposed. In order for children to become productive citizens, they needed to benefit from a proper education, suitable health facilities and a favourable economic and social environment. Children's issues had therefore to be addressed in conjunction with the challenges of overall socio-economic development. Determined though it was to advance on all those fronts, Nepal needed additional international financial and technical assistance to achieve the objectives of its national action plan for children.

51. Nepal had been actively promoting the rights of children through legislative and administrative measures and development policies and programmes. Under its Constitution, children were protected from trafficking, slavery, serfdom and forced labour, while a number of legislative provisions safeguarded their rights and protected their interests, as well as prohibiting their employment under the age of 16. In addition to the Convention on the Rights of the Child and its two Optional Protocols, Nepal was a party to ILO Conventions Nos. 138 and 182 concerning the minimum age for admission to employment and the worst forms of child labour respectively, and had taken steps to reflect them in its national policies. It had submitted its third periodic report to the Committee on the Rights of the Child, with which it maintained a good dialogue.

52. Under its current five-year plan, and through the establishment of appropriate institutions, Nepal was seeking to reduce poverty through the development of education, health facilities and rural infrastructure, giving high priority to social inclusion and social sector development, while aiming to raise the literacy rate to 63 per cent, notably by providing free primary education for all. He emphasized in that connection its fruitful partnership with civil society and non-governmental organizations and the complementary role of regional endeavours, citing its commitment to Conventions adopted by the South Asian Association for Regional Cooperation.

53. His Government nevertheless faced a daunting challenge, compounded in recent years by terrorist activities. Expressing the hope that the forthcoming elections there would provide impetus for socio-economic development, he urged the international community to support Nepal, so as to enhance its capacity to achieve the Millennium Goals and implement the Plan of Action adopted by the General Assembly at its special session on children.

54. **Ms. Pires** (Cape Verde) said that, while it was often asserted that children should be a priority for any country wishing to attain higher levels of development, such was not the reality in various parts of the world, despite progress in some areas. Citing the many obstacles to children's full enjoyment of their rights, she stressed her Government's deep concern about children affected by HIV/AIDS, conflict, malnutrition, abuse and trafficking. If the goals for children laid down by the international community were to be met, debt relief for developing countries was extremely important, particularly as the structural reforms required by financial institutions had tied up the resources of Governments and limited their capacity to intervene in crucial areas of social development.

55. For the Government of Cape Verde, investing in children was a fundamental strategic investment and a first step towards eradicating poverty. Education was accordingly its highest priority, as was reflected in its national plan and in its achievement of universal primary schooling, made possible by improved national legislation and cooperation with international human rights institutions. Problems remained, however, in regard to academic standards, teacher training and access to secondary, vocational and higher education, while many parents could not cover the costs of education for their children. Targeted aid was therefore provided to the poorest children, including the establishment of school canteens and better access to education and to medical care. In public health there had been notable improvements, reflected in lower rates of maternal and under-five child mortality and a marked increase in life expectancy. However, a serious problem that remained was the relatively high number of unwanted early pregnancies.

56. She mentioned in conclusion the excellent work done by UNICEF in her country and the valuable

cooperation of non-governmental organizations in endeavouring to make a world fit for children in Cape Verde, including the most vulnerable among them.

57. **Mr. Kim** Il-bum (Republic of Korea) said that his delegation welcomed the report of the independent expert for the United Nations study on violence against children and had taken note of the cooperation between the independent expert and existing mechanisms, including the Committee on the Rights of the Child.

58. Public awareness of child abuse had increased in the Republic of Korea. Considerable progress had been made with regard to legislation, programmes and policies, and centres had been established to provide medical treatment, counselling and legal aid to child victims of sexual violence.

59. With respect to the report of the Special Representative of the Secretary-General for Children and Armed Conflict, his delegation reaffirmed its full support for the "era of application" campaign led by the Special Representative and suggested that the campaign should not be limited to the protection of children in situations of armed conflict. It urged all concerned parties to comply with relevant international norms and to ratify and implement the Optional Protocol on the Involvement of Children in Armed Conflict and endorsed the Special Representative's recommendation regarding a separate resolution on children and armed conflict (A/60/335, para. 68 (a)).

60. His Government was continually striving to strengthen its efforts to protect and promote children's rights. A review of children's policies was currently being carried out, with a view to fully incorporating the outcome of the special session on children and the provisions of the Convention on the Rights of the Child.

61. **Mr. Mayoral** (Argentina), speaking on behalf of the Rio Group, said that its members had reviewed their national plans for children in order to incorporate the objectives and commitments agreed upon at the special session on children. The Rio Group was convinced that poverty eradication strategies and economic and social development plans for children must be supplemented with programmes for protection against violence, exploitation and discrimination and with education programmes that focused on the most vulnerable population groups. It was also essential to provide free and compulsory primary education to all children regardless of race and gender and to develop specific plans and programmes to eradicate child labour.

62. Given that most members of the Third Committee considered the rights of the child a priority and that the Convention on the Rights of the Child had been ratified almost universally, the Rio Group was perplexed that the draft resolution on the rights of the child, which was being co-sponsored by many of the Rio Group countries and the European Union, had repeatedly been put to a vote. The Rio Group called upon the Committee to adopt the resolution by consensus.

63. Violence against children was a matter of great concern to the Rio Group. Children in the Latin American region suffered different kinds of violence, including family violence, excessive use of force by law enforcement officers, kidnapping and youth gangs. The Governments of the region were making every effort to confront the problem and it was hoped that the international community would assist them in doing so.

64. The Rio Group called upon the Office of the Special Representative to cooperate closely with Member States in matters regarding children and armed conflict, including the implementation of projects for the demobilization, reintegration and rehabilitation of child soldiers.

65. **Mr. Zahiran** (Malaysia), speaking on behalf of the Association of Southeast Asian Nations (ASEAN), said that ASEAN attached great importance to the promotion and protection of children and had adopted several joint action programmes, including one in 2004 which had identified areas in which regional interventions could complement national actions. It had also established cooperative programmes in the areas of child prostitution, child labour and child trafficking, and was actively cooperating with the relevant international bodies to address the issues of child abuse, children with special needs and juvenile offenders.

66. With respect to child development, ASEAN had identified targets, such as providing recreational facilities, attending to the special needs of gifted children or children with disabilities, promoting training in parenting skills, and providing care services for children.

67. ASEAN was actively cooperating with UNICEF and had formulated a workplan on the welfare of children and young persons to be used as a guide for

long-term cooperation. The workplan addressed priorities identified in the ASEAN declaration of commitments on children, the Convention on the Rights of the Child and the outcome of the special session on children entitled "A world fit for children".

68. **Mr. Tidjani** (Cameroon) said that, despite the progress achieved since the special session on children, the world continued to face many challenges in the field of child protection and development. Six million children died each year from preventable or treatable diseases, and access to quality education was kept in check by armed conflicts, child trafficking, child labour, HIV/AIDS and political instability. His delegation supported the recommendations of the Secretary-General regarding adequate funding for children's programmes, strengthened capacity-building of national children's organizations, the full involvement of children, parliamentarians and civil societies in children's issues, and the need for reliable statistics.

69. With regard to health and education, Cameroon gave special priority to paediatric care, the establishment of rural health centres, the provision of drinking water and vaccination programmes for endemic and disabling diseases. Free primary school education had been instituted in 2000 and a basic education programme that gave priority to girls had been implemented with the support of UNICEF. As a result of that programme, school enrolment had risen considerably and gender disparity had been reduced.

70. Where the protection of children against abuse, exploitation and violence was concerned, Cameroon had acceded to virtually all the international legal instruments on the rights of the child and was cooperating closely with neighbouring countries to prevent the economic exploitation of children. Public institutions for the protection of young children and socially handicapped children had been established and draft legislation on the protection of individuals and the family was being finalized.

71. Measures to combat HIV/AIDS had been included in the national strategic programme for poverty eradication. The HIV/AIDS campaign focused on prevention, particularly with respect to transmission from mother to child, and included a programme for testing and psychosocial support for infected children and orphans.

72. Armed conflict constituted one of the major obstacles to the well-being of children. Cameroon commended the multidimensional actions taken by the Special Representative to raise international awareness of the suffering of war-affected children as well as his efforts to ensure the era of application of international standards and norms for the protection of children in situations of armed conflict. He was pleased to report that Cameroon regularly took in thousands of refugee children from Central Africa.

73. His delegation commended the efforts of the independent expert to gather reliable information on the issue of violence against children and urgently called upon the international community to strengthen its efforts to build a world truly fit for children.

74. **Mr. Shafer** (Observer for the Sovereign Military Order of Malta) said that the most fundamental right of the child was the right to life. Given that 10.6 million children still died each year, mainly of preventable causes, the Sovereign Military Order of Malta and its worldwide relief service would continue to pursue its child vaccination programmes around the globe.

75. The Sovereign Military Order of Malta strongly condemned the violence, abuse and exploitation to which 300 million children worldwide were subjected and emphasized that sexual abuse and child trafficking had a disproportionate effect on girl children.

76. A significant number of children had been orphaned by AIDS and many more had been separated from their parents by conflict, violence, poverty and social breakdown. The Sovereign Military Order of Malta supported the recommendations made by the Committee on the Rights of the Child following its general discussion on the subject of children without parental care and had improved both its orphanages and schools.

77. The report of the Special Representative of the Secretary-General for Children and Armed Conflict had clearly indicated that the international community needed to redirect its energies from developing norms to enforcing their application on the ground. With that in mind, the Sovereign Military Order of Malta was making every effort to guarantee children the right to be born, protected and educated.

78. **Mr. Husain** (Observer for the Organization of the Islamic Conference) said that Governments, international organizations and non-governmental

organizations shared a duty to develop policies and laws guaranteeing children the right to live in a safe and morally stable family environment. The Organization of the Islamic Conference shared the view of the Secretary-General that "the building of a world fit for children would be a major step in fulfilling the commitments of the Millennium Summit of 2000" (A/60/207, para. 4). However, that world could not be built unless the international community intensified its action in favour of disadvantaged children and families across the world.

79. In cooperation with UNICEF and the Islamic Educational, Scientific and Cultural Organization (ISESCO), the Organization of the Islamic Conference had convened its first conference on the welfare and protection of the Muslim child, with the objective of reviewing the status of implementation of the Plan of Action adopted at the twenty-seventh special session and of developing a coordinated approach for future actions. The Organization had also held a series of conferences on the victimization of children in recent wars and conflicts and had called upon its member States to prevent children from becoming involved in such conflicts. It remained committed to working with the United Nations and its relevant programmes and agencies, and with non-governmental organizations, to provide humanitarian assistance to children victimized by armed conflicts.

80. **Mr. Pekarchuk** (Ukraine) said that his delegation was pleased that many countries had strengthened their national legislation on the prevention of child trafficking, child prostitution and pornography and on the involvement of children in armed conflicts. Ukraine had become a party to the Optional Protocol on the Involvement of Children in Armed Conflict and was encouraged that the scope of international instruments on the protection of the rights of the child had been expanded.

81. Although the 2005 World Summit Outcome had reinforced the Millennium Development Goals and the goals set out in the Plan of Action of the special session on children, it appeared that the protection of children remained a challenge in many parts of the world. A shocking number of children suffered from poverty and disease and continued to face threats of violence, exploitation and discrimination.

82. The health of the children following the disaster at Chernobyl, the spread of HIV/AIDS, and the trafficking of women and children gave rise to particular concern in Ukraine. The Government had strengthened its national programmes on human trafficking and HIV/AIDS prevention and treatment and its national policies on the social protection of children. It was reviewing a draft programme on combating the homelessness and neglect of children and planned to develop a national plan of action for 2006-2016 on implementing the Convention of the Rights of the Child.

83. The Government recognized that it was vital to cooperate with foreign Governments, the United Nations and other international organizations, and wished to stress its support for UNICEF in particular. It agreed with the independent expert for the United Nations study on violence against children that nothing meaningful could be accomplished unless States respected the obligations enshrined in the human rights treaties on violence against children. Ukraine pledged to do its utmost to make those changes a reality.

The meeting rose at 1 p.m.

United Nations A/C.3/60/SR.19

General Assembly
Sixtieth session

Official Records

Distr.: General
3 November 2005

Original: English

Third Committee

Summary record of the 19th meeting
Held at Headquarters, New York, on Wednesday, 19 October 2005, at 10 a.m.

Chairman: Mr. Butagira ..... (Uganda)

Contents

Agenda item 64: Advancement of women (*continued*)

Agenda item 68: Indigenous issues

This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of publication* to the Chief of the Official Records Editing Section, room DC2-750, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate corrigendum for each Committee.

05-55954 (E)

The meeting was called to order at 10.10 a.m.

Agenda item 64: Advancement of women (*continued*) (A/C.3/60/L.12, L.13, L.14, L.15, L.16 and L.17)

Draft resolution A/C.3/60/L.12: In-depth study on all forms of violence against women

1. **Mr. Bertoux** (France), speaking on behalf of the Netherlands and more than 60 other sponsoring countries, introduced the draft resolution. He explained that its four main objectives were to: manifest the political commitment of Member States; emphasize that the entire United Nations system should collaborate in carrying out the study; urge Member States to contribute to funding the study; and endorse the one-year delay in submitting the relevant report to the General Assembly. The text of the draft resolution had been revised by adding the words "and, wherever possible, draw attention to it, so as to expand opportunities for contribution to its preparation and follow-up" to the end of paragraph 5; and the words "and to provide, as applicable, the Secretary-General with updated information on issues to be covered by the study" to the end of paragraph 6.

2. Jamaica, Chile, Venezuela, Uruguay, Bosnia and Herzegovina, United Republic of Tanzania, Argentina and Mozambique indicated their desire to sponsor the draft resolution.

Draft resolution A/C.3/60/L.13: United Nations Development Fund for Women

3. **Mr. Hyassat** (Jordan), also speaking on behalf of Canada, Mexico, Niger, Guatemala and Slovenia, introduced the draft resolution. It highlighted recent developments concerning the United Nations Development Fund for Women (UNIFEM) as well as that agency's current focus. He added that informal consultations were ongoing, and that a revised text might be introduced in due course. He also expressed hope that the Committee would adopt the draft resolution by consensus.

4. Thailand, Timor-Leste, Mali, New Zealand, Panama, Mongolia and Burkina Faso indicated their desire to join the sponsors.

Draft resolution A/C.3/60/L.14: Improvement of the situation of women in rural areas

5. **Ms. Enkhtsetseg** (Mongolia), introducing the draft resolution, said that it called on Member States to mobilize the resources required to increase the access of women to land ownership, health care, financial services and decision-making processes. She added that proposals and changes to the draft had been received, and consultations were currently in progress. A revised document would be submitted in due course.

6. In addition to Burkina Faso, Chile, Democratic Republic of the Congo, Ecuador, Ghana, Haiti, Madagascar, Malawi, Malaysia, Morocco, Niger, Nigeria, Philippines, Senegal, Thailand, Timor-Leste and Togo, the countries of Costa Rica, Namibia, Bolivia, Mexico, Mozambique, Zimbabwe, Colombia, United Republic of Tanzania, Dominican Republic and Kenya expressed their desire to join the sponsors of the draft resolution.

Draft resolution A/C.3/60/L.15: Future operation of the International Research and Training Institute for the Advancement of Women

7. **Mrs. Bowen** (Jamaica), speaking on behalf of the Group of 77 and China, introduced the draft resolution, explaining that in broadening its horizons, the International Research and Training Institute for the Advancement of Women had responded positively to research needs related to current women's issues in developing countries. The Institute sought to secure future operations on a more predictable, sustainable path.

8. Mexico, Iraq and Bangladesh expressed the wish to join with Jamaica in sponsoring the draft resolution.

Draft resolution A/C.3/60/L.16: Violence against women migrant workers

9. **Mr. De Leon** (Philippines), speaking on behalf of Indonesia, Peru, Ecuador and Paraguay, introduced the draft resolution, noting that it was designed to increase gender sensitivity in migration and to highlight the fact that women migrant workers required special protection. The draft resolution reflected recent developments such as the increasing feminization of international migration, the tendency of migrant women to be employed in the informal economy, and the need to empower migrant workers and to adopt gender policies on migration.

10. Tunisia, Senegal, Morocco, Guatemala, Burkina Faso, Bolivia, Bangladesh, Mongolia, Nigeria, Colombia and Côte d'Ivoire indicated their desire to join the sponsors of the draft resolution.

Draft resolution A/C.3/60/L.17: Convention on the Elimination of All Forms of Discrimination against Women

11. **Mrs. Merchant** (Norway), introducing the draft resolution, as orally revised, said that its main purpose was to authorize the Committee on the Elimination of Discrimination against Women to hold extra sessions in the two upcoming years and to be able to meet in parallel working groups, on a temporary basis, in order to enhance its ability to discharge all its responsibilities. Revisions to the draft resolution included replacing the first word of preambular paragraph 8 with the word "Welcoming" and adding the phrase "on an exceptional and" after the words "to meet" in the first line of paragraph 15.

12. Argentina, Antigua and Barbuda, Côte d'Ivoire, Kenya, Paraguay, Zimbabwe, Cape Verde, San Marino, Burkina Faso, Togo, Timor-Leste, Venezuela, Bosnia and Herzegovina, Bolivia, Belize, Estonia, Bangladesh, Ecuador, Dominican Republic, Indonesia, Mali and Madagascar expressed the wish to join Costa Rica, Israel, Malawi, Namibia, Republic of Korea, Macedonia, Switzerland and Turkey in sponsoring the draft resolution.

Agenda item 68: Indigenous issues (A/60/270 and Add.1, and A/60/358)

13. **Mr. Schölvinck** (Director of the Division for Social Policy and Development, United Nations Department of Economic and Social Affairs), speaking on behalf of José Antonio Ocampo, Under-Secretary-General for the Department of Economic and Social Affairs, said that a majority of the world's indigenous peoples continued to live on the margins of society. They numbered some 370 million, approximately one twentieth of the world's population, and represented more than one tenth of the world's poor. Human Development Report 2004, published by the United Nations Development Programme (UNDP), had concluded that in many countries public spending in basic social services "systematically discriminates against minorities and indigenous peoples". The United Nations development agenda should continue to focus on indigenous issues, including economic and social development, culture, the environment, education, health and human rights.

14. In that connection, the Permanent Forum on Indigenous Issues had issued recommendations in several key areas and had noted that without taking into account the voices of indigenous peoples, millennium target processes might lead to accelerated loss of land and natural resources and hasten assimilation, thus prolonging and even worsening the marginalization and poverty of indigenous groups. It recommended that Member States and the United Nations system consider definitions of extreme poverty developed by indigenous peoples. The Forum also stressed that education should take into account the identities, languages, cultures and traditional knowledge of indigenous peoples.

15. As part of the Second International Decade of the World's Indigenous People, a comprehensive draft programme of action had been prepared, with five main objectives, namely: non-discrimination and inclusion, full and effective participation, development with culture and identity, targeted programmes and budgets, and strengthened monitoring and accountability.

16. Indigenous peoples believed that a sustainable future lay in ensuring the collective well-being and in maintaining a harmonious relationship with the Earth. Clearly, a world riddled with socio-economic disparities, conflict, insecurity and extreme poverty could not be sustained unless such problems were addressed holistically and interdependently. Development policymakers from Member States should draw on that philosophy to bring about concrete and positive change in the lives of indigenous peoples.

17. **Mr. Schölvinck** referred to the fourth session of the United Nations Permanent Forum on Indigenous Issues, held in May 2005. He focused on the first and second Millennium Development Goals as they related to indigenous peoples, concerning the eradication of extreme poverty and primary education for all. The session had resulted in a number of key recommendations, addressed to the Economic and Social Council, as well as Governments, indigenous organizations and other non-governmental and civil society organizations. The Forum had appointed special rapporteurs to analyse the implementation status of its previous recommendations, with a view to their prioritization, to prepare a paper on the Forum's methods of work and to establish productive relations

with the Intergovernmental Forum on Forests. It had also initiated an expert meeting on indigenous traditional knowledge, recently held in Panama City.

18. He noted that in the previous year a draft comprehensive Programme of Action had been drawn up for the Second International Decade of the World's Indigenous People and that the Trust Fund set up for the Decade had already received its first contribution. In addition, the Inter-Agency Support Group on Indigenous Issues had grown to include 23 United Nations and other intergovernmental entities among its members. Its 2005 meeting had focused on regional and country levels of the United Nations system, and was aimed at raising awareness about the mandate and recommendations of the Permanent Forum, strengthening coordination on indigenous issues and promoting the implementation of the Forum's recommendations. The strong commitment demonstrated within the system to improving the lives of indigenous people had been echoed by Member States through General Assembly resolution 59/174. He called on Member States to contribute to the Voluntary Fund on Indigenous Issues.

19. **Mr. Stavenhagen** (Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people), introducing his report (A/60/358), stressed the relevance to indigenous peoples of the Millennium Development Goals, in particular, the eradication of extreme poverty and hunger, and universal primary education. He noted the importance of the cooperation extended to him by the Permanent Forum on Indigenous Issues. Poverty, a multidimensional phenomenon and one of the gravest human rights violations, was especially devastating for indigenous peoples, and even more so to indigenous women. Measures to address the problem had to be taken as a matter of urgency, and they required consultation with the communities concerned, which should be regarded as an essential policy input and not just a formality.

20. Among the barriers that prevented indigenous peoples from enjoying their human rights, he singled out the difficulties they had in gaining full access to educational services, particularly in the case of girls; the education offered them not only failed to meet minimum standards and was generally of a poorer quality than that available to the rest of the population, but also was not appropriate, leading to extremely high dropout rates. While there had been some progress in that respect, the goal of primary education for girls and boys could only be attained if specific measures were taken in consultation with the indigenous communities themselves. Ethnic and gender discrimination in schools and the family and the scourge of child labour were also of special concern.

21. He continued to receive reports of violations of the human rights and fundamental freedoms of indigenous peoples, including extrajudiciary killings, death threats, and lack of access to natural resources and basic social services. Indeed, despite ongoing efforts to implement the recommendations of the 2002 World Conference against Racism, in Durban, many cases of discrimination on ethnic grounds continued to be reported. At the same time there was a growing trend to criminalize legitimate movements seeking recognition of their human and social rights on the pretext of combating terrorism. In addition, indigenous peoples were suffering especially from situations of violent conflict in Latin America, Asia and Africa; in some cases their very survival was at risk. He was in regular contact with the Special Adviser on the Prevention of Genocide about those situations, as requested by the Commission on Human Rights. Prevention was the key, indicating the urgency for early warning mechanisms to be put in place.

22. Referring to the 2005 World Summit Outcome, and particularly to the commitments specified in support of the human rights of indigenous peoples, he urged Member States to comply with ILO Convention 169 on Indigenous and Tribal Peoples and eventually to ratify it. He expressed the hope that a United Nations declaration on the rights of indigenous peoples would soon be finalized.

23. **Mr. Wood** (United Kingdom), speaking on behalf of the European Union, asked whether there were particular areas within the Millennium Development Goals where improvements should be sought for indigenous peoples. He also wished to know whether the Special Rapporteur was in contact with the International Committee of the Red Cross regarding indigenous peoples in conflict situations. Lastly, he asked him to give specific examples of the fight against terrorism being used as a pretext for clamping down on indigenous peoples.

24. **Mr. Alaie** (Islamic Republic of Iran) said that the treatment of indigenous people was an important element in any assessment of the human rights

situation in a country; such assessments needed to take into account their social and economic status and their relationship to the environment, while the question of their self-determination was also critical. The Special Rapporteur's official visits to countries offered the international community a valuable means of improving the situation. According to the Special Rapporteur, in Canada, the aboriginal people were frequently discriminated against and suffered from violations of their economic, social and human rights. He asked the Special Rapporteur to describe the Canadian Government's reaction to his comments and to elaborate on the various aspects of the right of self-determination of indigenous peoples, with particular reference to how that right might be realized in the countries where they lived.

25. *Mr. Anshor (Indonesia), Vice-Chairman, took the Chair.*

26. **Ms. Taracena Secaira** (Guatemala), emphasizing that in her country the indigenous people were traditionally identified with Mother Earth and depended on natural resources, raised the question of how the vulnerability resulting from such dependency could be minimized. She noted that funds available under the Millennium Development Goals were being devoted to emergency needs in disaster situations and consequently could not be used to support the development of indigenous people, who would thus continue to lag behind.

27. **Mr. Stavenhagen** (Special Rapporteur), responding to the United Kingdom, said the Millennium Development Goals should take account of the human rights of all peoples, including the indigenous population, especially with regard to the eradication of poverty, the establishment of universal primary education and the elimination of discrimination against women. Their right of prior consultation and consent should be introduced into public policy, particularly in matters of investment and legislation affecting them, as stipulated in ILO Convention 169.

28. He would contact the International Committee of the Red Cross on issues concerning the violation of their rights in conflict situations as soon as possible. The Commission on Human Rights had asked him to study allegations of terrorist activity levelled at indigenous groups, in cooperation with the Office of the United Nations High Commissioner for Human Rights. He invited countries to provide information on measures taken or planned for the implementation of the relevant recommendations of the Commission.

29. With regard to the concerns expressed by the representative of Guatemala, he wished to convey his sorrow at the devastation wreaked in the country by the recent hurricane, adding to the suffering of people already sorely afflicted. He stressed that, while humanitarian assistance was important, it was not enough. The damage caused by such disasters were sometimes due to bad economic and social policies. Those policies had to be reviewed so as to enable indigenous people to have a say in the development and use of natural resources, with due regard for their cultural identity and for the environment.

30. **Archbishop Migliore** (Observer for the Holy See) noted with concern that conflicts might have been used as an excuse to clamp down unjustly on the human rights of indigenous people. He asked whether there had been any noticeable changes with regard to the situation of indigenous peoples since the comparatively recent identification of the importance of securing their free, prior and informed consent.

31. **Mr. Stavenhagen** (Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people) said that while there was growing agreement about the need to exercise the right to consultation, Governments, authorities and even multilateral organizations did not always consult indigenous groups adequately before taking their decisions. It was therefore important to develop an appropriate methodology for consultation proceedings that would satisfy the indigenous groups themselves.

32. **Ms. Shoman** (Belize), speaking on behalf of the Caribbean Community (CARICOM), said that the activities of the First International Decade of the World's Indigenous People had resulted in a growing understanding of the obstacles indigenous peoples faced in preserving their culture, livelihoods and communities. One of the major achievements of the First Decade was the establishment of the Permanent Forum on Indigenous Issues, which had provided a systematic approach to addressing the challenges facing indigenous peoples. The work of the Forum should be fully taken into account in the plan of action for the Second Decade; CARICOM supported its five key objectives.

33. While the quality of life of indigenous peoples had improved, they continued to be among the poorest

and the most marginalized in many countries. The international community should therefore make further efforts to ensure that all indigenous peoples enjoyed full human rights and measurable improvements in their living conditions. The human and institutional capacities of indigenous peoples should be strengthened to enable them to better participate in decision-making processes at all levels.

34. The finalization of a United Nations declaration on the rights of indigenous people should be a matter of priority for the Second Decade. CARICOM would continue to work with the Commission on Human Rights Working Group to that end. The declaration should not fall below international standards and the Working Group should find innovative methods for finalizing its work.

35. **Ms. Garcia-Matos** (Bolivarian Republic of Venezuela), speaking on behalf of the Andean Community (Bolivia, Colombia, Ecuador, Peru and the Bolivarian Republic of Venezuela), said that the Andean Community had adopted an Integrated Social Development Plan, which had 20 projects to eradicate poverty and provide health and education to the most disadvantaged. The Andean Community had succeeded in defining a community strategy for social cohesion whereby integration would contribute to the shared goal of overcoming poverty, exclusion and inequality among indigenous peoples.

36. Under the Andean Charter for the Promotion and Protection of Human Rights adopted in 2002, the Andean Community promoted non-discrimination and the full and effective participation of indigenous peoples in decisions which directly or indirectly affected their lifestyles and their cultural integrity as indigenous peoples. The Andean Community firmly supported all efforts aimed at the promotion and protection of the fundamental rights and freedoms of indigenous people in areas such as linguistic identity, cultural heritage and historical traditions. It also emphasized the need to strengthen and increase international cooperation to cope with the problems facing indigenous peoples in the areas of health, education, culture, the environment and socio-economic development. Development policies needed to be redefined at the global level to include an equitable and culturally appropriate approach, with specific objectives for indigenous peoples, especially for indigenous women, children and young people.

37. The Andean Community hoped that the plan of action for the Second Decade would soon be adopted by consensus and that the Second Decade would produce a United Nations instrument of a binding nature to protect the rights of indigenous peoples.

38. **Ms. Intelmann** (Estonia) expressed regret that a declaration on the rights of indigenous peoples, one of the major objectives of the First Decade, had not been achieved. The rapid completion of a strong document should be the priority of the Commission on Human Rights Working Group. All parties involved in the negotiations should do their utmost to present a draft declaration for adoption as soon as possible.

39. The implementation of the Millennium Development Goals as they applied to indigenous peoples had to be viewed within the broader context of the Millennium Declaration. Indigenous peoples had the right to benefit from the Goals, and from the other goals and aspirations contained in the Declaration, to the same extent as all other people. The international community's efforts to reduce poverty should address the needs, rights and conditions of indigenous peoples. The programme of action of the Second Decade should place a strong emphasis on the implementation of all the Millennium Development Goals and improve the monitoring of their implementation.

40. The effective implementation of the programme of action depended on the full involvement of the indigenous peoples in defining, monitoring and evaluating national strategies that concerned them. It was important for all relevant actors to support and implement collection and disaggregation of data on indigenous peoples. Statistical data constituted a fundamental step for strengthening the capacity of Governments and indigenous peoples to evaluate their situation and design participatory solutions. Indigenous issues were among the priorities of Estonia, which had a long history of supporting the languages and cultures of Finno-Ugric peoples through cooperation in the fields of education and science. It was of utmost importance for the international community to strengthen bodies such as the Permanent Forum on Indigenous Issues by providing them with more financial, human and technical resources and by implementing their recommendations and policies.

41. **Mr. Thuemmel** (Germany) said that his country had pledged $75,000 to the United Nations Voluntary Fund for the Decade. Germany fully subscribed to the

main objectives of both the First and the Second Decades and would continue to provide support, particularly through international development cooperation.

42. Indigenous issues to be addressed during the Second Decade were related to consistently mainstreaming human rights and gender criteria; harmonizing and coordinating the strategies of multilateral development banks, United Nations funds and programmes, regional organizations and national donors; developing strategies and implementing projects of direct benefit to indigenous groups; and increasing the organization and active participation of those groups.

43. He looked forward to the forthcoming meeting of the Commission on Human Rights Working Group on the United Nations draft declaration on the rights of indigenous people and said that his country would participate actively in its deliberations. He hoped that, in a spirit of compromise, all parties would be able to finalize a text that did justice to the legitimate claim of indigenous peoples to enjoy fully all human rights and fundamental freedoms.

44. **Mr. Savua** (Fiji) endorsed the five key objectives of the plan of action for the Second Decade and supported "Agenda for life" as the most suitable theme for the Decade. Fiji welcomed the appeal in the report of the Secretary-General (A/60/270) for all States to develop policies to reverse ethnocentric perceptions of indigenous cultures by non-indigenous peoples. It also supported the recommendation that information and communication technology should be used to support and encourage cultural diversity and to preserve and promote indigenous languages and the distinct identities and traditional knowledge of indigenous peoples in a manner that they determined best advanced their goals.

45 His delegation noted with appreciation the emphasis on quality education in the mother tongue and on bilingual and intercultural education that was sensitive to indigenous holistic world views, languages and traditional knowledge. It also welcomed the exhortation that States should enact legislative measures to eliminate national policies and practices that created further difficulties for indigenous children to enjoy their right to education. Fiji also welcomed the recommendation that Governments should consider integrating traditional systems of justice into national legislation in conformity with international human rights law and international standards of justice. While his delegation supported the recommendations in the report related to health, its major concerns focused on cultural practices with a negative impact on health, including female genital mutilation, alcoholism, child marriages, and violence against women and children. To stop those practices, it urged all Member States to adopt targeted policies and programmes in partnership with indigenous peoples and non-governmental organizations.

46. **Ms. Critchlow** (Guyana) said that her delegation was particularly heartened by the report of the Secretary-General on implementation of the programme of activities for the International Decade of the World's Indigenous People (A/59/277). The Permanent Forum on Indigenous Issues had made a significant contribution to developments over the previous decade such as better access to development projects and increasing indigenous participation in local authorities.

47. In keeping with the Constitution of Guyana and the Charter of Civil Society for the Caribbean Community, Guyana reaffirmed the contribution of indigenous peoples to the development process and remained committed to respecting their cultural heritage and way of life. Guyana was one of a few countries to have experienced an increase in its indigenous population. National legislation accorded the same rights and status to indigenous people as other citizens and policies and programmes had been adopted over the years to ensure their equal and full participation in national life. Her Government's commitment to the attainment of the Millennium Development Goals also positively affected indigenous communities, which now had better access to quality education and health care. Pilot projects on native language instruction at the primary school level were ongoing.

48. Human rights, land rights and poverty reduction issues were being addressed. Initiatives were being undertaken to increase the employment prospects of Amerindians through the development of microenterprises and technical assistance to increase agricultural productivity. The World Bank had also been instrumental in strengthening public services to Amerindians and had provided assistance to the Government of Guyana to revise legislation on Amerindians.

49. Her Government largely concurred with the draft programme of action for the Second International Decade of the World's Indigenous People (A/60/270) and supported the adoption of the motto "Partnership for further action". Flexibility and innovative approaches would overcome the obstacles which had blocked consensus and finalization of the draft declaration on the rights of indigenous peoples. Indigenous people of CARICOM member States should be given greater opportunities to participate in the work of the Permanent Forum. Her delegation also called for the establishment of a voluntary fund for the Second International Decade of the World's Indigenous People and reiterated its commitment to their full integration and development.

50. **Mr. Dall'Oglio** (International Organization for Migration (IOM)) said that in addressing the rights of indigenous people, the nexus between indigenous people and migrants must not be overlooked. Both migrants and indigenous people experienced social marginalization, exclusion and discrimination. Indeed, indigenous migrants tended to be more marginalized than other migrants. They had limited access to educational and employment opportunities, health care and other services and faced restrictions on travel inside their own countries and abroad. Furthermore, because of the link between trafficking, ethnic discrimination and social marginalization, indigenous people, particularly women and children, were most at risk of being trafficked. Studies also indicated the growing incidence of HIV/AIDS transmission among indigenous women forced into prostitution or illegal labour.

51. Recognition should be given to the natural bond of indigenous people to their ancestral lands, which extended beyond internationally recognized borders; they were severely affected by development projects, pollution, environmental changes, militarization of land and armed conflict. Since many indigenous communities relied on hunting, fishing, gathering and herding, their livelihoods and traditional way of life were disproportionately affected by migratory movements.

52. Indigenous people must be included in international, regional and national policies and programmes. At its third session, in May 2004, the Permanent Forum on Indigenous Issues had recommended launching a new initiative under which IOM and other stakeholders would address issues relating to indigenous migrants and the special vulnerability of indigenous women migrants, as well as the lack of adequate data and attention to their problems. IOM was committed to addressing those issues as well as the link between international migration and development during the high-level dialogue on that item and offered its support for the Programme of Action for the Second International Decade of the World's Indigenous People.

53. **Mr. Haylock** (International Labour Organization (ILO)) said that since the adoption of the Convention concerning the Protection and Integration of Indigenous and Other Tribal and Semi-Tribal Populations in Independent Countries (Convention No. 169), internationally recognized as the foremost instrument on the subject, a new consciousness of the place and role of indigenous and tribal peoples in societies around the world had taken hold. In that context, ILO had taken increasing account of the special needs and contributions of these peoples in the process of national development.

54. ILO's ongoing commitment to the rights of indigenous peoples had been forcefully reasserted through the World Commission on the Social Dimension of Globalization. General Assembly resolution 59/57 called on Member States and United Nations organizations to consider the report of the Commission entitled "A fair globalization: creating opportunities for all" (A/59/98-E/2004/79).

55. It was estimated that indigenous peoples represented about 5 per cent of the world's population, but more than 15 per cent of the poor. The incidence of extreme poverty was higher among them than among other social groups. Indigenous and tribal women experienced the same disadvantages as their male peers, but often encountered additional barriers related to their gender and age.

56. Since 1999, Poverty Reduction Strategy Papers (PRSPs) had become the overall framework for lending, debt relief and development cooperation in low-income countries. The processes leading to the definition of national PRSPs were intended to be open and participatory. Related guidelines, however, were silent on involving indigenous and tribal peoples. Within the framework of the follow-up action on the elimination of discrimination at work, ILO was finalizing an ethnic audit of PRSPs in 14 countries to ascertain whether and how the rights, needs and aspirations of indigenous and tribal peoples had been

taken into account and whether they had been involved in consultations for the preparation of PRSPs.

57. ILO would be studying the impact of the Millennium Development Goals on indigenous peoples by undertaking three country case studies in Cambodia, Cameroon and one Latin American country. In each country, one indigenous community would be the focus of the research. These were but a few examples of the ILO's ongoing commitment to improving the living and working conditions of indigenous and tribal peoples and to mainstreaming a rights-based approach to indigenous issues.

58. **Mr. Sankurathripati** (World Intellectual Property Organization (WIPO)) said that the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore was established to discuss the international dimension of intellectual property in relation to those three areas and the possible development of a relevant international instrument or instruments.

59. The Committee recognized the need to address the interests and concerns of the multi-stakeholders in a balanced manner. The voice and experience of the indigenous people were a vital aspect of that process. The work of the Committee took into account the collective interests of indigenous peoples in their traditional know-how and in expressions of their traditional cultures. The Committee was also aware of the need to respect their customary laws and their claims on the use of their knowledge and resources. The actual physical genetic resources were not subject to intellectual property protection because intellectual property covered only intangible aspects. There was discussion within the Committee, however, on the extent to which intellectual property protection related to biotech inventions and on issues of access and benefit-sharing.

60. The Committee was currently discussing standards for the protection of traditional cultural expressions and of traditional knowledge, inter alia, to empower communities, encourage community innovation and creativity, promote intellectual artistic freedom, research and cultural exchange, preclude unauthorized intellectual property rights and prevent the misappropriation of traditional cultural expressions and expressions of folklore.

61. Intellectual property tools were increasingly being utilized by indigenous peoples. In addition, geographical indications had been registered in respect of handicrafts in Portugal, Mexico and the Russian Federation. Maori people in New Zealand had registered a certification trademark to assure the authenticity and quality of Maori creative arts. Several countries and regions such as the Pacific Island countries were updating their intellectual property laws to assure greater protection of indigenous rights. Australia, India, Panama, Peru, South Africa and Thailand, to name only a few countries, were considering or had put in place specific measures and legislation to provide intellectual-property-like protection for traditional knowledge and traditional cultural expressions.

62. WIPO had extended assistance to developing countries and traditional and indigenous communities in different countries and regions, including a series of awareness-raising and training workshops for indigenous women in Panama, focusing on use of intellectual property tools to protect their handicrafts for their cultural and economic benefit. WIPO was developing a toolkit for identifying and managing the intellectual property implications of the documentation of traditional knowledge. WIPO was also developing good practices and guidelines for museums, archives, libraries and researchers addressing the intellectual property issues that arose during the recording, inventorying, dissemination and reuse of traditional cultural expressions.

63. Participation of indigenous and local communities in the work of the Committee had been a vital aspect of WIPO's work. The Committee has initiated several innovative steps to enhance indigenous participation at its meetings such as a fast-track accreditation procedure and the holding of indigenous panels at the commencement of each Committee session. In October 2005 WIPO established a voluntary fund for indigenous and local communities devoted entirely to funding travel and living expenses of the members of indigenous or local communities to take part in the Committee sessions to be held in Geneva.

64. WIPO had collaborated with the United Nations and its agencies in matters dealing with indigenous issues, including a technical study on requirements of patent applications for genetic resources at the request of the Conference of the Parties to the Convention on Biological Diversity. WIPO had also worked in close cooperation with the Permanent Forum on Indigenous Issues and had been an enthusiastic member of the Inter-Agency Support Group for the Permanent Forum.

The meeting rose at 12.43 p.m.

United Nations A/C.3/60/SR.20

General Assembly
Sixtieth session

Official Records

Distr.: General
2 November 2005

Original: English

Third Committee

Summary record of the 20th meeting
Held at Headquarters, New York, on Thursday, 20 October 2005, at 10 a.m.

Chairman: Mr. Butagira ..... (Uganda)

Contents

Agenda item 68: Indigenous issues (*continued*)

This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of publication* to the Chief of the Official Records Editing Section, room DC2-750, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate corrigendum for each Committee.

05-56114 (E)

The meeting was called to order at 10.40 a.m.

Agenda item 68: Indigenous issues *(continued)*
(A/60/270, A/60/270/Add.1 and A/60/358)

1. **Mr. Rosengren** (Finland), speaking on behalf of the Nordic countries (Denmark, Finland, Iceland, Norway and Sweden), said that the 2005 World Summit Outcome had reaffirmed the commitment of Member States to make progress on the advancement of human rights of the world's indigenous peoples and to submit a final draft United Nations declaration on the rights of indigenous peoples for adoption as soon as possible. The adoption of the draft programme of action for the Second International Decade of the World's Indigenous People would be helpful in maintaining a broad-based focus on the issue.

2. The Permanent Forum on Indigenous Issues, which had played a central role in the preparation of the draft declaration, should have an equally important role in follow-up on implementation of the programme of action, which rightly emphasized the need to ensure the effective participation of indigenous peoples in all decision-making processes. The Decade should ensure that indigenous issues were included in the implementation processes of the Millennium Development Goals and follow-up to the major United Nations conferences.

3. The draft declaration must enjoy the support and reflect the interests of all actors concerned, in particular indigenous peoples and Governments. The Nordic countries were fully committed to ensuring that the forthcoming negotiations on a final text were successfully concluded. Lastly, his delegation reiterated its strong support for the work of the Permanent Forum and Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people.

4. **Mr. Artucio Rodríguez** (Uruguay) said that his Government had given increasing attention to the country's indigenous population in recent years. Despite extensive racial mixing since the time of Spanish colonization, a percentage of the Uruguayan population should still be identified as having indigenous ancestors. His Government was concerned about the poverty and suffering which indigenous peoples had endured and continued to defend their rights.

5. Indigenous peoples, who had the same right as non-indigenous peoples to the enjoyment of human rights, had left a rich cultural heritage and contributed greatly to the world's diversity and knowledge. His delegation supported the activities of the Second Decade of the World's Indigenous People and hoped that, during the forthcoming session of the Commission on Human Rights, Member States would be able to finalize the draft declaration on the rights of indigenous peoples.

6. **Mr. Nikiforov** (Russian Federation) noted that practically every international conference addressed the issue of the rights of indigenous peoples. The Permanent Forum on Indigenous Issues dealt with the issue on a universal level. Furthermore, indigenous peoples themselves were participating in the work of United Nations bodies on an equal footing with delegations of Member States.

7. Indigenous peoples had made a valuable contribution to the complex process of drafting a declaration on the rights of such peoples and to the work of the Permanent Forum and Working Group on Indigenous Populations. Thanks to the United Nations Voluntary Fund for Indigenous Populations, an increasing number of indigenous people were able to participate in United Nations conferences and meetings. Most of the United Nations specialized agencies and programmes involved in the implementation of the Millennium Development Goals had worked in close cooperation with indigenous peoples.

8. His Government had always attached great significance to universal cooperation in defending the rights of indigenous peoples. Problems connected with the survival of indigenous peoples themselves, however, could not be addressed at the international level alone. Without adequate efforts on the part of Governments themselves, many of the objectives set would not be attained.

9. The survival and development of indigenous peoples was a pressing issue for the Russian Federation. His Government had given priority to strengthening the legislative basis governing relations between the State and indigenous peoples. Legislation had been enacted to strengthen the special rights of indigenous peoples to social, economic and cultural development and defend their traditional habitat and way of life and use of natural resources. His

Government had also established a programme to promote the sustainable economic and social development of indigenous peoples of the North, protect their environment and enhance their productivity, including the provision of housing, hospitals and schools and the promotion of reindeer farming. The education of indigenous children, as an integral part of the Russian educational system, included the right to study their native language. State educational standards and general requirements for school programmes at various levels took into account the specificity of the various peoples and linguistic groups living within the Russian Federation.

10. One of the priorities of his Government's economic policies with respect to indigenous peoples of the North was a gradual transition from direct State support of the regions to the establishment of favourable economic conditions for self-development. To that purpose, an effective legal mechanism must be developed to promote cooperation between the State, mining companies and large industrial facilities to resolve the problem of sustainable development of indigenous peoples. Those peoples should have the same rights and opportunities as the rest of the population.

11. Unfortunately, the problems encountered by indigenous peoples were far from being resolved. Many of the goals set during the first International Decade of the World's Indigenous People had not been fulfilled, particularly agreement on a United Nations declaration on the rights of indigenous peoples. The Russian Federation had therefore supported the proclamation of the Second International Decade and intended to take an active part in implementing its objectives.

12. **Mr. Myo** (Myanmar) agreed with the report of the Secretary-General (A/60/270) that specific programmes and projects were essential for the further strengthening of international cooperation and the solution of problems faced by indigenous people. It commended the draft comprehensive programme of action for the Second International Decade of the World's Indigenous People. Although the First Decade had failed to adopt a declaration on the rights of indigenous peoples, it had established the Permanent Forum on Indigenous Issues.

13. Over time, many migrants' waves had passed through Myanmar and the population currently consisted of eight main ethnic groups with over a hundred national races. In 1992, a special Ministry for the Progress of Border Areas and National Races and Development Affairs had been established to promote the economic and social development of the national races, most of whom lived in remote border areas. The Ministry's main objectives were to bring about economic and social development in remote regions, preserve the culture, literature and customs of the national races, promote harmonious relations among the national races, eradicate opium poppy cultivation and replace it with alternative means of livelihood, and preserve and maintain security in the border areas.

14. The Government had already implemented a number of projects to build roads and bridges in mountainous and remote areas, enhance food security, create sustainable markets for products and provide education and training for young people from ethnic groups. It had created a national races village to encourage cultural diversity and preserve ethnic customs and traditions, and had introduced a master plan for the development of the border areas.

15. The rights of national races could be fully realized only through representation in a political process. Their participation in the National Convention, currently being actively discussed, was one of the Government's top priorities.

16. **Mr. Núñez de Odreman** (Venezuela (Bolivarian Republic of)) said that the issue of indigenous peoples was high on his Government's agenda. There was a national programme to promote the development and protect the ethnic and cultural identities of the 34 indigenous peoples of Venezuela, including education, training, health and other services which respected their values and traditions, as well as the provision of technical and financial assistance to strengthen their economic activities. The initiatives taken by his Government to advance the rights of indigenous people included the establishment of banks for indigenous women, a census of indigenous households, a programme to strengthen community management, scholarships for indigenous students, a programme to protect indigenous migrants, and a programme to map indigenous lands.

17. Furthermore, legislation had been enacted to implement the relevant provisions of the Constitution as well as the Millennium Declaration to help the indigenous peoples of Venezuela to exercise fully their

rights. The Bolivarian Republic of Venezuela was also committed to combating all forms of racial discrimination, increasing the representation of indigenous peoples in government, protecting their health, respecting their culture and language, helping them to settle conflicts and improving their quality of life.

18. His delegation commended the proclamation of the Second International Decade of the World's Indigenous People and its draft comprehensive programme of action. The first International Decade had increased awareness of the rights of those peoples. It was now necessary to strengthen international cooperation to find a solution to the problems which directly affected indigenous peoples and redress the violations of their rights which persisted. His delegation hoped that the draft declaration on the rights of indigenous peoples would be finalized during the Second Decade.

19. **Mr. Begg** (New Zealand) said that his country had long supported negotiations to reach consensus on the text for an international declaration on the rights of indigenous peoples. However, the draft text that had been under debate for more than 10 years was unacceptable to many Member States, including New Zealand. If it were to be implemented as a standard of achievement, it would have to be amended. For that reason, New Zealand, along with a group of other countries, had submitted amendments in 2004 to seek to ensure that any future declaration would be consistent with international human rights law and international humanitarian law and protect individual and collective rights, as well as the rights of other parties. The amendments also addressed the fundamental need to safeguard the territorial integrity and political unity of States, and the responsibility of democratic elected governments to govern for the welfare of all their citizens.

20. New Zealand could not agree to a document that suggested the existence of two standards of citizenship or two classes of citizens. The declaration should be inclusive and not exclusive in all its provisions. Although negotiations had been inclusive, the declaration would be for Member States to endorse and adopt. Consequently, States should assume more leadership in the negotiations to bring them to an early conclusion. New Zealand was not prepared to continue the protracted and inconclusive process for another decade.

21. He welcomed the Chairman's text which had been submitted to the Commission on Human Rights early in 2005. It required further amendments, both on self-determination and on lands and resources in particular, but provided a sound and realistic basis for moving forward.

22. **Ms. Taracena Secaira** (Guatemala) said that the indigenous issue was of paramount importance to her country. Her delegation therefore welcomed the draft programme of action for the Second International Decade of the World's Indigenous People (A/60/270) and the historic opportunity to link the programme to the Millennium Development Goals so that the two could be mutually reinforcing. It was also important to include indigenous representatives and authorities in that process, so that they could take responsibility for managing and implementing the programmes and projects designed for their benefit. The progress made in Guatemala during the first Decade would help make the Second Decade more successful. One lesson learned was that there was a need for wider dissemination of information about political and legal mechanisms among indigenous peoples and greater awareness about the Second Decade in all areas of Government and throughout the country. Her Government had therefore undertaken to improve the dissemination of information about the Second Decade, in order to boost existing programmes to raise the living standards of indigenous people and combat poverty.

23. In Guatemala, a number of indigenous people were members of Congress and held decision-making positions in State institutions, where they proposed public policies and had established mechanisms for dialogue, negotiation and agreements with a view to solving the problems that indigenous peoples still faced. In October 2005, Guatemala had hosted a Conclave of the Indigenous Peoples of the Americas, followed by the sixth meeting of negotiations to seek consensus on the American Declaration on the Rights of Indigenous Peoples within the framework of the Organization of American States (OAS). The Universal Declaration on Indigenous Rights and the American Declaration on the Rights of Indigenous Peoples, both of which were still being negotiated, would help ensure that indigenous rights were preserved and respected. She hoped both would be adopted soon.

24. Noting that many of the measures adopted by her Government were medium- and long-term measures

she pointed out that the situation of Guatemala's indigenous peoples had been exacerbated by tropical storm Stan, which had triggered mudslides in mountainous areas, causing considerable loss of life and enormous damage to agriculture. With the help of national resources and international support, every effort was being made to help the victims and rebuild the country's infrastructure. However, in order to do that, it had been necessary to divert resources earmarked for the Millennium Development Goals.

25. Her Government was in favour of disaggregating data in order to measure progress made and making information from United Nations agencies and funds available to indigenous people. It would also continue to expand its health programmes and promote multicultural and multilingual literacy programmes. Lastly, she stressed the importance of the practices of indigenous peoples, whose traditional lifestyles contributed to the conservation and sustainable use of biological diversity and helped combat poverty and hunger.

26. **Ms. Tincopa** (Peru) said that her Government was taking action at all levels to promote the development and full participation of indigenous peoples and ethnic minorities and consolidate a political system based on democracy, respect for human rights and fundamental freedoms, social development and poverty reduction. Such policies reaffirmed Peru's commitment to fully implement the Millennium Development Goals.

27. In January 2005, her Government had established a national institute for the development of Andean, Amazonian and Afro-Peruvian peoples, which directed national policies on indigenous peoples and coordinated implementation of programmes relating to their rights and development. At the international level, Peru had supported the proclamation of a Second Decade as a way of further improving the quality of life of indigenous peoples around the world. Her Government attached great importance to discussions of indigenous issues and actively participated in all work on the subject. In that regard, Peru, together with Ecuador and Guatemala, would be submitting a draft resolution on the adoption of the Programme of Action for the Second International Decade of the World's Indigenous People.

28. Peru was also fully committed to the adoption of a declaration on the rights of indigenous peoples. Her delegation was disappointed that negotiations in the Commission on Human Rights had not produced the desired results and that the very nature of the Working Group on the draft declaration, as well as antagonistic positions, had caused negotiations to stagnate for several years. Her delegation hoped that agreement would soon be reached and in that regard fully agreed with paragraph 127 of the 2005 World Summit Outcome (A/60/L.1).

29. Lastly, her delegation had read with particular interest the report of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people (A/60/358), which confirmed the difficult situation of indigenous peoples in various parts of the world and the need for the international community to give priority to finding concrete solutions. Noting her delegation's support for the Special Rapporteur's work, she said that the action taken by Peru focused on ensuring that the ethnic and cultural identity of indigenous peoples was recognized and respected in an effort to strengthen their forms of organization, all of which would contribute to the development of Peruvian society.

30. **Mr. Alday Gonzalez** (Mexico) said that the draft programme of action for the Second Decade was crucial to ensuring that commitments made to improve the situation of indigenous peoples were honoured. In that regard, he acknowledged the important contribution of the Coordinator of the Second Decade in organizing consultations and of the Office of the High Commissioner for Human Rights (OHCHR). Even if the draft programme focused more on social development, the human rights aspect could not be ignored. It was also important to link the activities set out in the draft programme to the goals contained in the Millennium Declaration. The Department of Economic and Social Affairs played a very important coordination role in that regard. His delegation supported the draft resolution on the adoption of the programme of action and hoped it would be adopted by consensus.

31. Noting that the 2005 World Summit Outcome included a commitment to present for adoption a final draft United Nations declaration on the rights of indigenous peoples as soon as possible (A/60/L.1, para. 127), he said that his delegation supported the Special Rapporteur's proposal for the draft declaration to be a declaration of principles so that it would have a real impact on indigenous peoples. Even if some

progress had been made in the area of implementation of legislation and public policies, it was still important to have a declaration in order to address tasks that were pending. One possible reason why agreement had not been reached was that too much emphasis had been placed on regulating each right and envisaging each circumstance in which the rights would apply. The idea of establishing general principles to be applied by each State was not therefore a bad one. It was fundamental to establish a distinct methodology and explore different negotiating spaces, in order to reach agreement as early as possible. It would be of no use to indigenous peoples to continue discussing their rights for another 10 years.

32. **Mr. Rehren** (Chile) said that his delegation wished to join the Special Rapporteur and other delegations in recognizing the importance of the commitments laid down in the 2005 World Summit Outcome (A/60/L.1), in particular the commitment to continue making progress in the advancement of the human rights of the world's indigenous peoples (para. 127). Chile acknowledged the importance of cooperation with the United Nations bodies and procedures relating to indigenous matters and was committed to its indigenous peoples. His delegation also appreciated the Special Rapporteur's reference to the relevance for indigenous peoples of the Millennium Development Goals, in particular the Goals to eradicate extreme poverty and hunger and achieve universal primary education. Likewise, he welcomed the progress highlighted by the Director of the Division for Social Policy and Development concerning the work of the Inter-Agency Support Group for the Permanent Forum on Indigenous Issues, which demonstrated the determination of Member States to end the marginalization of indigenous affairs in public policies.

33. Chile had welcomed the proclamation of the Second Decade and its main objectives, and sponsored the relevant resolution in 2004. While appreciating the historical significance of the first Decade, it recognized that much remained to be done. Initiatives such as the creation of the Permanent Forum on Indigenous Issues, the Special Rapporteur's mandate and the Working Group on Indigenous Populations, together with the work of indigenous organizations, other NGOs and civil society, had enriched the existing diversity and heritage. For that reason, his Government would continue to lend its financial support to activities relating to indigenous issues. He also thanked the delegations of Ecuador, Guatemala and Peru for their draft resolution on the Second Decade, which his delegation would be supporting.

34. During the Permanent Forum's fourth session in May 2005, his delegation had put forward a number of ideas for consideration during the Second Decade, such as cooperation and information exchange among countries, the importance of protecting the elderly as the repositories of ancestral wisdom and the establishment of systems to ensure the effective participation of indigenous peoples in public policies. Chile attached great importance to cooperation with regional bodies that dealt with indigenous issues. In that regard, he emphasized the growing importance of the Fund for the Development of the Indigenous Peoples of Latin America and the Caribbean, a bipartite body composed of government and indigenous representatives which, inter alia, identified the strengths and weaknesses of Governments in regulating processes triggered by globalization that affected indigenous peoples. A much more ambitious undertaking was the Intercultural Indigenous University, which would contribute to the professional training of indigenous men and women by offering them high-quality higher education programmes.

35. Chileans had needed to rebuild a society divided by pain and injustice. Chile had chosen to resolve its discrepancies through peaceful means and renounced violence in all its forms. As a democratic State, it could not accept the use of violence as a way to satisfy the social demands of any of its citizens, whether indigenous or non-indigenous. Today, institutional channels and mechanisms were in place to respond to the demands of all sectors of society. For that reason, the proceedings which his Government had been obliged to start involving indigenous peoples sought to punish the authors of crimes. In no way were they intended to "criminalize" the indigenous movement. The Chilean courts had accused the persons concerned on the basis of the crime committed and the investigations carried out, not because of their origin.

36. **Mr. Laurin** (Canada) expressed appreciation to the Special Rapporteur for his visit to Canada in 2004 and for his work, which reinforced the Canadian Government's commitment and ongoing efforts to work with the Aboriginal peoples of Canada toward meeting the challenges they faced. The areas highlighted in the Special Rapporteur's report as

representing the greatest challenges for Canada largely coincided with the areas that his Government had identified for increased action as it sought to close the unacceptable socio-economic gap between Aboriginal and non-Aboriginal Canadians. His delegation was pleased that the Special Rapporteur recognized that Canada had taken up the challenge to close that gap (E/CN.4/2005/88/Add.3, p. 2).

37. His Government welcomed the report as a positive contribution to national efforts to improve the lives of all Aboriginal peoples in Canada and looked forward to a sustained dialogue with the Special Rapporteur with a view to developing further initiatives. Canada took its human rights obligations seriously and sought to address issues in an open and transparent fashion, involving indigenous groups themselves. Canada had also sought to cooperate fully with United Nations mechanisms, in the current instance the Special Rapporteur. In addressing their respective human rights challenges, all States should foster an inclusive, open dialogue in an environment free from threats to political and democratic rights and freedoms and take full advantage of the support offered by the United Nations special mechanisms.

38. **Ms. Singh** (Nepal) said that Nepal had ratified the International Convention on the Elimination of All Forms of Racial Discrimination and gave due consideration to the recommendations made by the Committee on the Elimination of Racial Discrimination on the reports it submitted regularly under the Convention.

39. The Nepalese Constitution banned discrimination on grounds of religion, race, gender, cast or ideological conviction and protected the most vulnerable members of society, such as women, children and old people. Each community had the right to preserve and promote its language, script and culture and there was total freedom of religion.

40. A number of national development policies and plans gave high priority to social inclusion. In particular, legal measures had been adopted to open up the civil service to indigenous nationalities and a public awareness and school enrolment campaign had been launched under the "Education for All" programme to achieve the Millennium Development Goals. The Government believed that those programmes would help to eliminate the inequalities experienced by indigenous populations.

41. Established in 2002, the National Foundation for Development of Indigenous Nationalities defended the interests of indigenous nationalities in Nepal. Sixty-one groups had been identified as indigenous nationalities on the basis of, inter alia, mother tongue, traditional rights and customs. The Dalit Commission and Women's Commission were involved in the implementation of programmes for the development of indigenous groups, in collaboration with all stakeholders in society.

42. The forthcoming elections would provide a further opportunity to increase the participation of various ethnic and indigenous groups in Nepal's democratically elected institutions. They would pave the way for peace and help defeat terrorism that had seriously affected development programmes, particularly in rural areas in which indigenous and ethnic groups lived. The international community must extend its cooperation to strengthen national efforts for free and fair elections, as well as to complement national development efforts.

43. **Mr. Murata** (Food and Agriculture Organization of the United Nations (FAO)) reiterated his agency's commitment to indigenous issues and reported on two of its major activities to eradicate extreme poverty and hunger among indigenous peoples.

44. At its 123rd session in November 2002, the FAO Council had formally established the Intergovernmental Working Group (IGWG) for the Elaboration of a Set of Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security. The Guidelines, finally adopted by the FAO Council at its 127th session in November 2004, constituted a fundamental step towards providing the hungry and poor, including vulnerable groups such as indigenous peoples, with the right to food.

45. In 2001, the FAO Council had adopted the International Treaty on Plant Genetic Resources for Food and Agriculture. In harmony with the Convention on Biological Diversity, the Treaty sought to ensure the fair and equitable sharing of benefits derived from the use of plant genetic resources for food and agriculture. It recognized the significant contribution that local and indigenous communities had made, and could continue to make, to the conservation and development of plant genetic resources. The entry into force of the Treaty was of great relevance to indigenous peoples and their

organizations, and would contribute to the recognition of farmers' rights.

46. The topic of World Food Day 2005 was "Agriculture and intercultural dialogue". It had provided a major opportunity to highlight the important contribution of indigenous peoples to food production and sustainable management of agricultural ecosystems.

The meeting rose at noon.

United Nations A/C.3/60/SR.21

General Assembly
Sixtieth session

Official Records

Distr.: General
7 November 2005

Original: English

Third Committee

Summary record of the 21st meeting
Held at Headquarters, New York, on Friday, 21 October 2005, at 10 a.m.

Chairman: Mr. Butagira (Uganda)

Contents

Agenda item 67: Promotion and protection of the rights of children (*continued*)

Agenda item 62: Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family (*continued*)*

Agenda item 63: Follow-up to the International Year of Older Persons: Second World Assembly on Ageing (*continued*)*

Agenda item 64: Advancement of women (*continued*)

Agenda item 106: Crime prevention and criminal justice (*continued*)*

Agenda item 107: International drug control (*continued*)*

* Items which the Committee has decided to consider together.

This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of publication* to the Chief of the Official Records Editing Section, room DC2-750, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate corrigendum for each Committee.

05-56340 (E)

The meeting was called to order at 10.05 a.m.

Agenda item 67: Promotion and protection of the rights of children (*continued*) (A/C.3/60/L.18 and L.19)

Draft resolution A/C.3/60/L.18: The girl child

1. **Ms. Muuondjo** (Namibia), introducing the draft resolution on behalf of the original sponsors as well as Cape Verde, Kenya, Morocco, Nigeria, Panama, Paraguay and Peru, said that the issue of fistula had been included in the draft resolution, as it affected the mortality and morbidity of young women, particularly in sub-Saharan Africa, where health care was rudimentary.

2. **The Chairman** announced that Belarus, Belize, Cameroon, Chile, China, Colombia, Côte d'Ivoire, Cuba, the Democratic People's Republic of Korea, the Dominican Republic, Ecuador, Eritrea, Ghana, Guatemala, Indonesia, Jamaica, Kyrgyzstan, Mali, Mongolia and the Philippines had also joined in sponsoring the draft resolution.

Draft resolution A/C.3/60/L.19: The situation of and assistance to Palestinian children

3. **Mr. Afifi** (Egypt), introducing the draft resolution on behalf of the original sponsors as well as Belize, Brunei Darussalam, China, the Comoros, Indonesia, Iraq, Jordan, the Libyan Arab Jamahiriya and Pakistan, said that minor changes had been made to the text. The draft resolution, which was particularly relevant in the light of the continuing dire situation in the Occupied Palestinian Territory, including East Jerusalem, would help to alleviate the suffering of and send a clear message of hope to Palestinian children.

4. **The Chairman** announced that Bangladesh, Burkina Faso, the Democratic People's Republic of Korea, the Lao People's Democratic Republic, Namibia, Qatar, Venezuela (Bolivarian Republic of) and Zimbabwe had also joined in sponsoring the draft resolution.

Agenda item 62: Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family (*continued*) (A/C.3/60/L.3/Rev.1)

Draft resolution A/C.3/60/L.3/Rev.1: Implementation of the World Programme of Action concerning Disabled Persons: realizing the Millennium Development Goals for persons with disabilities

5. **The Chairman** said that the draft resolution had no programme budget implications.

6. **Mr. Banzon** (Philippines), orally revising the revised draft resolution, said that the word "progress" should replace "work" in the seventh preambular paragraph. In addition, Andorra, Argentina, Austria, Belgium, Canada, Estonia, Finland, France, Hungary, Kazakhstan, Kyrgyzstan, Latvia, Malta, Monaco, Nigeria, Norway, Paraguay, Portugal and San Marino had joined in sponsoring the draft resolution.

7. **The Chairman** announced that Albania, Algeria, Bangladesh, Bosnia and Herzegovina, Burkina Faso, Cameroon, Cape Verde, China, Chile, Colombia, Côte d'Ivoire, the Democratic People's Republic of Korea, Egypt, El Salvador, Eritrea, Germany, Greece, Guatemala, France, Iceland, Italy, Jamaica, Jordan, the Libyan Arab Jamahiriya, Lithuania, Madagascar, Malawi, Mali, Namibia, New Zealand, the Republic of Moldova, Senegal, Serbia and Montenegro, Sierra Leone, South Africa, Spain, Tunisia, Turkey, Ukraine, the United Republic of Tanzania, Uruguay, Zambia and Zimbabwe had also joined in sponsoring the draft resolution.

8. *Draft resolution A/C.3/60/L.3/Rev.1, as orally revised, was adopted.*

9. **Ms. Garcia-Matos** (Bolivarian Republic of Venezuela) said that her delegation had not joined the sponsors of the draft resolution because it had reservations concerning the reference to the 2005 World Summit Outcome in the third preambular paragraph. Her delegation considered the Outcome to be a working paper and in no way binding on Member States.

Agenda item 63: Follow-up to the International Year of Older Persons: Second World Assembly on Ageing (*continued*) (A/C.3/60/L.2)

Draft resolution A/C.3/60/L.2: Follow-up to the Second World Assembly on Ageing

10. **The Chairman** said that the draft resolution contained no programme budget implications.

11. **Ms. Bowen** (Jamaica), speaking on behalf of the Group of 77 and China, said that Azerbaijan, Estonia, Japan, Lithuania, Luxembourg, Mexico and San Marino had joined in sponsoring the draft resolution. In the fourth preambular paragraph, the phrase "which limits the scope of implementation efforts" should be inserted after the word "non-existent".

12. **The Chairman** announced that Albania, Andorra, Austria, Belgium, Bosnia and Herzegovina, Canada, Croatia, Cyprus, the Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Kazakhstan, Kyrgyzstan, Latvia, Malta, Monaco, the Netherlands, Norway, Poland, Portugal, the Republic of Moldova, Romania, Slovakia, Slovenia, Spain, Sweden, The former Yugoslav Republic of Macedonia, Turkey, Ukraine and the United Kingdom of Great Britain and Northern Ireland had also joined in sponsoring the draft resolution.

13. *Draft resolution A/C.3/60/L.2, as orally revised, was adopted.*

Agenda item 64: Advancement of women (*continued*) (A/C.3/60/L.12)

Draft resolution A/C.3/60/L.12: In-depth study on all forms of violence against women

14. **The Chairman** said that the draft resolution contained no programme budget implications.

15. **Mr. Bertoux** (France) said that Benin, Cameroon, Cape Verde, Colombia, the Dominican Republic, Ecuador, Israel, Kenya, Nigeria, Paraguay and Serbia and Montenegro had joined in sponsoring the draft resolution.

16. **The Chairman** announced that Albania, Angola, Armenia, Bolivia, Botswana, Bulgaria, Dominica, Eritrea, Guyana, Iraq, Kazakhstan, Malawi, Micronesia (Federated States of), Monaco, Mongolia, Namibia, the Republic of Moldova, Saint Vincent and the Grenadines, Ukraine and Zambia had also joined in sponsoring the draft resolution.

17. *Draft resolution A/C.3/60/L.12, as orally revised, was adopted.*

18. **Mr. Bertoux** (France) said that the consensus reached on the draft resolution showed a determination to end the intolerable phenomenon of violence against women. The Secretary-General should spare no effort to ensure that the study served as a milestone and guide for States for years to come. It was in that spirit that France and the Netherlands as well as others had given financial support for the study. His delegation noted with satisfaction the widespread political support for the study as well, which was shown by the broad backing of the draft resolution by representatives of all the world's countries and cultures.

Agenda item 106: Crime prevention and criminal justice (*continued*) (A/C.3/60/L.10)

Draft resolution A/C.3/60/L.10: United Nations African Institute for the Prevention of Crime and the Treatment of Offenders

19. **The Chairman** said that the draft resolution had no programme budget implications and that Angola had joined the sponsors of the draft resolution.

20. *Draft resolution A/C.3/60/L.10 was adopted.*

Draft resolution A/C.3/60/L.11/Rev.1: Follow-up to the Eleventh United Nations Congress on Crime Prevention and Criminal Justice

21. **The Chairman** said that the draft resolution had no programme budget implications.

22. **The Secretary** read out minor revisions to the text.

23. **Ms. Laohaphan** (Thailand), speaking on behalf of the sponsors, said that Austria, Cambodia, Cape Verde, Guatemala, Iran (Islamic Republic of), Mexico, Singapore, the former Yugoslav Republic of Macedonia, the United States of America and Zambia had joined in sponsoring the draft resolution. With the political will of the Member States and the international community, the Bangkok Declaration would serve as a solid foundation for future measures and actions that should be undertaken to prevent and combat crime in all its dimensions. She appealed to all Member States for their support in sponsoring and

adopting the resolution in order to maximize its impact in preventing and combating the global problem of crime and terrorism.

24. **The Chairman** said that Albania, Algeria, Angola, Burkina Faso, the Congo, the Gambia, Greece, Haiti, Italy, Malawi, Mali, Mongolia, Peru, the Sudan, Turkey, the United Republic of Tanzania and Zimbabwe had joined the sponsors of the draft resolution.

25. *Draft resolution A/C.3/60/L.11/Rev.1 was adopted.*

Agenda item 107: International drug control (*continued*) (A/C.3/60/L.9/Rev.1)

Draft resolution A/C.3/60/L.9/Rev.1: International cooperation against the world drug problem

26. **The Secretary** said that should the Committee adopt the draft resolution contained in A/C.3/60/L.9/Rev.1, there would be no requirement for additional appropriations as the necessary expenses would be accommodated within existing resources.

27. **Ms. Feller** (Mexico) said that Algeria, Antigua and Barbuda, Argentina, the Bahamas, Belgium, Belize, Bolivia, Brazil, Brunei Darussalam, Canada, Cape Verde, Costa Rica, Croatia, Cuba, Cyprus, the Czech Republic, Denmark, the Dominican Republic, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, India, Ireland, Italy, Kyrgyzstan, Liechtenstein, Lithuania, Luxembourg, The former Yugoslav Republic of Macedonia, Malta, Monaco, Morocco, Mauritius, the Netherlands, Norway, Paraguay, Poland, Portugal, Romania, San Marino, Singapore, Slovakia, Slovenia, the Sudan, Sweden, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Uruguay and Viet Nam had joined the sponsors of the draft resolution.

28. **The Chairman** said that Albania, Angola, Armenia, Bangladesh, Barbados, Belarus, Bosnia and Herzegovina, Botswana, Bulgaria, Burkina Faso, Cambodia, Cameroon, the Comoros, the Congo, Côte d'Ivoire, Eritrea, the Gambia, Guinea, Guinea-Bissau, Guyana, Haiti, Jamaica, Jordan, Kenya, the Lao People's Democratic Republic, Latvia, Madagascar, Malawi, Malaysia, Micronesia (Federated States of), Mongolia, Mozambique, Namibia, Nigeria, the Republic of Moldova, Saint Lucia, Senegal, Spain, Ukraine, the United Republic of Tanzania, Zambia and Zimbabwe had also joined the sponsors of the draft resolution.

29. *Draft resolution A/C.3/60/L.9/Rev.1 was adopted.*

30. **Ms. Shestack** (United States of America) said that, according to the regulations and rules governing programme planning and the programme aspects of the budget, the Secretary-General and the heads of departments and offices should make every effort to find offsets in the event of additional costs. While the Secretariat had assured the Committee that the adoption of the resolution would not create any requirement in the current biennium for additional appropriations, some were expected in the future. She trusted that the Fifth Committee and the Advisory Committee on Administrative and Budgetary Questions would give the matter due consideration.

31. **Ms. Garcia-Matos** (Bolivarian Republic of Venezuela) said that her delegation had not sponsored draft resolution A/C.3/60/L.9/Rev.1 because the second preambular paragraph contained a reference to the 2005 World Summit Outcome. Her delegation considered that document to be a working paper which was in no way binding on its Government.

32. **Mr. Cumberbach** (Cuba) requested the Secretariat to circulate a written version of its statement on the financial and budget implications of the draft resolution so that the delegations could fully understand the consequences of its adoption.

The meeting rose at 11.20 a.m.

United Nations A/C.3/60/SR.22

General Assembly
Sixtieth session

Official Records

Distr.: General
8 November 2005

Original: English

Third Committee

Summary record of the 22nd meeting
Held at Headquarters, New York, on Monday, 24 October 2005, at 10 a.m.

Chairman:	Mr. Butagira	(Uganda)
later:	Ms. Carvalho (Vice-Chairman)	(Portugal)
later:	Mr. Butagira	(Uganda)

Contents

Agenda item 64: Indigenous issues (continued)

Draft resolution A/C.3/60/L.24: Programme of action for the Second International Decade of the World's Indigenous People

Agenda item 71: Human rights questions

(a) Implementation of human rights instruments

This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned within one week of the date of publication to the Chief of the Official Records Editing Section, room DC2-750, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate corrigendum for each Committee.

05-58592 (E)

The meeting was called to order at 10.10 a.m.

Agenda item 68: Indigenous issues (continued)

Draft resolution A/C.3/60/L.23: Programme of action for the Second International Decade of the World's Indigenous People

1. **Ms. Tincopa** (Peru), introducing the draft resolution on behalf of the original sponsors as well as Argentina and Paraguay, said that the draft resolution was aimed at implementing the programme of action for the Second International Decade of the World's Indigenous People, whose five key objectives would help to address the problems facing indigenous peoples.

Agenda item 71: Human rights questions (A/60/40, 44, 129, 156, 192 and 409/Add.2 (Part I))

(a) Implementation of human rights instruments (A/60/45, 215, 220, 273, 278, 284, 336, 338 and 351)

2. **Mr. Ndiaye** (Director, New York Office of the United Nations High Commissioner for Human Rights), said that the report of the Secretary-General on the status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocols to the International Covenant on Civil and Political Rights (A/60/284) provided information on the number of States which had ratified or acceded to those instruments, as well as information on the measures concerned during the reporting period by the Committee on Economic, Social and Cultural Rights and the Human Rights Committee.

3. The annual report of the Human Rights Committee (A/60/40), covering the period from 1 August 2004 to 31 July 2005, considered 14 periodic reports and one country situation in the absence of a State party report. The Committee had noted with appreciation that the majority of States parties had provided follow-up information.

4. Under its individual complaints procedure, the Committee had adopted 27 views on communications, declaring three communications admissible and 36 inadmissible. The consideration of seven communications had been discontinued. A total of 112 communications had been registered and, by the end of the eighty-fourth session, a total of 127 communications were pending. The Committee had continued to seek to ensure the implementation of its views through the Special Rapporteur for Follow-Up on Views.

5. The annual report of the Committee against Torture (A/60/44) included reports on its thirty-third and thirty-fourth sessions, during which the Committee had considered the reports of nine States parties to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and had taken decisions on 17 individual complaints. It had also adopted guidelines for the submission of initial reports by States parties under article 19 of the Convention. The Secretary-General's report on the status of the Convention (A/60/220) indicated that 139 States had accepted the Convention and ten had ratified its Optional Protocol. Since the submission of that report, three additional States had ratified the Optional Protocol, which would come into force following its ratification by 20 States parties.

6. The report of the Secretary-General on the United Nations Voluntary Fund for Victims of Torture (A/60/215) provided information on the recommendations adopted by the Board of Trustees at its twenty-first and twenty-fourth sessions, especially on the new funding cycle, as well as information on other recommendations to the Office of Internal Oversight Services (OIOS).

7. The report of the Secretary-General on the status of the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery (A/60/273) contained an overview of the financial status and activities of the Fund. At its tenth session, the Board of Trustees had recommended funding 29 projects in 15 countries in order to extend humanitarian, legal and financial aid to individuals whose human rights had been severely violated as a result of contemporary forms of slavery.

8. The report of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families (A/60/48) covered its second session, at which it had adopted provisional guidelines for the submission of initial reports by States parties and had determined its methods of work when considering those reports.

9. The report of the chairpersons of the human rights treaty bodies on their seventeenth meeting (A/60/278) provided information on their reports on

developments in the work of treaty bodies. Further efforts had been made to develop common working methods, including follow-up procedures, interaction with specialized agencies and NGOs, and approaches to the submission of overdue reports. A comparative analysis of the working methods of the seven treaty bodies had been presented to the fourth inter-committee meeting. The report also contained a statement by the United Nations High Commissioner for Human Rights on her Plan of Action (A/59/2005/Add.3) and, in particular, her commitment to develop proposals for a unified, standing treaty body to integrate the monitoring functions of the seven current treaty bodies. Wide-scale consultations were under way on those proposals.

10. The report of the United Nations High Commissioner for Human Rights on equitable geographical distribution in the membership of the human rights treaty bodies (A/60/331) presented a statistical analysis of the individuals elected to the treaty bodies since 1970 by regional group. The report had been prepared further to General Assembly resolution 59/181.

11. **Mr. Takase** (Japan) said that his Government had become a party to all six of the core human rights treaties. However, every country needed to guarantee that the rights described in those treaties were actually being respected and exercised. The reporting system was essential to the implementation of human rights, as it enabled the Committee to monitor a State party's fulfilment of its obligations and provided an opportunity for periodic dialogue between Governments and Committees and with civil society. However, the current reporting system needed to be changed in order to eliminate duplication of information contained in the reports, delays in submission, and the backlog of reports awaiting consideration by the Committee.

12. Japan appreciated the ongoing efforts to improve the effectiveness of the treaty bodies by coordinating the working methods of the Committees and streamlining the reporting system, especially the development of guidelines on expanding core documents. However, his delegation wished to recall that the guidelines should in no way place additional obligations on State parties.

13. Given that the existing seven treaty bodies had a combined membership of 155 and that other human rights treaties would likely be drafted in the future, drastic long-term reform was needed to maximize the efficiency of the current system. Japan was looking forward to the concept paper being prepared by the High Commissioner for Human Rights and would continue to support the human rights treaty bodies in every way possible.

14. **Mr. Wibisono** (Indonesia), speaking as Chairperson of the Commission on Human Rights, said that the sixty-first session of the Commission had brought together some 4,000 participants in 150 public and private events, including meetings by NGOs, Governments and national human rights institutions. The constructive tone of the deliberations at the sixty-first session had led to the adoption of more resolutions and decisions by consensus. The Commission had adopted 87 resolutions, 18 decisions and 4 statements by Chairpersons. It had also established several new special procedures and had extended some mandates.

15. The sixty-first session had seen an increased recognition of the linkages between international humanitarian law and international human rights law. One such example was its adoption of Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law, which would be put before the General Assembly for consideration later in the year. The Commission had also endorsed a number of decisions by the Sub-Commission on the Promotion and Protection of Human Rights, including the appointment of Special Rapporteurs to prepare studies on issues of non-discrimination.

16. The work of the Commission was complemented by a growing programme of intersessional working groups, several of which played a vital role in setting human rights standards. The Expanded Bureau had met regularly since the end of the annual session to discuss matters such as the organization of working group meetings and the appointment of special procedures mandate holders. The special procedures system was an important part of the United Nations human rights mechanisms for the effective promotion and protection of human rights.

17. The sixty-first session had shown that the Commission could take steps to address its challenges and that it was possible, with the good will of all its

held discussions on human rights issues and reform in an atmosphere of cooperation that was conducive to progress. During the session there had also been an informal discussion of the reform of the United Nations human rights machinery and in June 2005 informal consultations had been held on the human rights recommendations contained in the report of the Secretary-General.

18. The debate at the sixty-first session of the Commission on Human Rights had continued to demonstrate that importance of having an intergovernmental forum for different stakeholders to exchange views and contribute to the promotion and protection of human rights worldwide. He hoped that the positive elements of the Commission would be taken into account in the creation of and transition to a Human Rights Council. A strengthened forum would enable the international community to continue building on the many achievements of the Commission.

19. **Ms. Tian Ni** (China) said that China was a party to 25 international human rights instruments and was actively considering ratifying the International Covenant on Civil and Political Rights, as well as the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict. Her Government had made serious efforts, through legislative, judicial and administrative measures, to implement the international human rights instruments to which China was a State party. China had submitted its initial report under the International Covenant on Economic, Social and Cultural Rights, two reports under the International Convention on the Elimination of All Forms of Racial Discrimination, six reports under the Convention on the Elimination of All Forms of Discrimination against Women, three reports under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, two reports under the Convention on the Rights of the Child, and an initial report under the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography. China was currently compiling its fourth and fifth consolidated report under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

20. China maintained an open dialogue and communication with the human rights treaty bodies and had on several occasions invited experts and members of the relevant committees to visit China. Her Government had also assisted the Hong Kong and Macao Special Administrative Regions to fulfil their treaty obligations.

21. The current reporting system was too complex and imposed an excessive burden on countries, especially developing countries. China took note of the recommendations to address the situation in the report of the Secretary-General on the strengthening of the United Nations (A/57/387) and commended those concerned. At the same time, reform measures should avoid adding even more complicated and cumbersome requirements for Member States. The reporting system should be streamlined to enhance efficiency. More time should be allowed between reports under some Conventions and, except when there was a special need, it would not be necessary to establish new human rights treaty bodies.

22. The consideration of the implementation reports of States parties by human rights treaty bodies was an exchange of views on an equal footing, following the principle of objectivity and fairness. Constructive dialogue should be conducted in a spirit of cooperation. Any conclusions and criticisms against Governments of States parties based on assessments that were groundless or not grounded facts must be avoided. Information from external sources should therefore be treated with caution and conclusions and recommendations should take into account the actual circumstances of countries.

23. **Mrs. Nadav Morduchi** (Israel) said that some developed countries were not interested in promoting and protecting human rights in a spirit of dialogue and with due respect for the principles enshrined in the United Nations Charter, but were more concerned to serve their own geopolitical interests. They continued to denounce others while remaining silent about their own human rights violations. Moreover, their objective in seeking to reform the human rights machinery was to strengthen their self-assigned role as supervisors and to legitimize their pursuit of promotion and military domination. Many of them were opposed to efforts to achieve world peace since they had no desire to lose control of the world's natural resources or to allow them to exercise fully their right to self-determination. Those who sought moral justice were defamed and every possible means, including terrorism, was used to prevent free speech. They were always the aggressors, never the victims, and they used any pretext to take

advantage of their military power in order to dominate the countries of the South.

24. The Third World countries, for their part, were impeded from exercising the right to development by being denied access to the market and to new technologies, while being burdened by huge debt. As a result, 1.2 billion persons in the world would be unable to escape absolute poverty. In Cuba, however, the people had gained control of its fate through a revolutionary process. It had built its own political systems and social system based on effective democratic participation, which had allowed all its citizens without distinction to enjoy their full human rights. The hardships that they nevertheless suffered were due to the economic, commercial and financial blockade imposed by the United States.

25. She stressed that the reason for such aggressiveness towards her country was fear of the Cuban example, which showed that it was possible to build a just and caring society. Since the revolution there had been no evidence of a single extrajudicial execution or of a single missing person. Nor were those held in Cuban prisons ever harassed or tortured. Yet the current United States Administration continued its efforts to put an end to the independence of Cuba and to destroy Cuban society. She concluded by saying that cooperation in the field of human rights could not be strengthened unless there was genuine political will for dialogue and mutual respect between the North and the South, unmarred by double standards.

26. **Mr. Ritter** (Liechtenstein), stressed the significance of the two recent decisions to double the resources of the Office of the United Nations High Commissioner for Human Rights (OHCHR) over the next five years and to set up a Human Rights Council. He welcomed the commitment expressed in the Summit Outcome to strengthen the treaty body system, which had been growing ever less effective. The reporting process, which was the basis for the essential ongoing dialogue between States parties and treaty bodies, should be improved, in particular through more focused reporting and increased country-level engagement by OHCHR. By providing assistance not only in the reporting process but also in the follow-up, OHCHR would help ensure that the treaty bodies received accurate and relevant information from countries and would enable them to formulate concluding observations that could be implemented at domestic level.

27. While the basic problems of the treaty body system could be remedied through procedural, streamlining measures, an enhanced OHCHR would help to build reporting capacity, while country visits by members of treaty bodies would facilitate the establishment of dialogue between the State party and the treaty body.

28. The proposed creation not only of a unified system but also of a permanent unified treaty body might run the risk of losing the focus of conventions on specific rights. However, the creation of a single treaty body to monitor the implementation of the two human rights Covenants would be an expression of the indivisibility and interdependence of all human rights and merited further consideration.

29. **Mr. Weremа** (United Republic of Tanzania) said that his Government was undertaking legal reforms to achieve social justice, equality and the rule of law through competent and accessible legal services for the poor and disadvantaged. A comprehensive approach would be taken to enhancing the observance of human rights and international HIV/AIDS standards of human rights, reducing the abuse of power, eliminating gender discrimination and strengthening the administrative justice system of the country.

30. His Government had launched a programme to raise awareness about human rights among public servants and law enforcement bodies. A national commission on human rights and good governance had been entrusted with building the capacity of non-governmental organizations to monitor and report on human rights abuses.

31. His Government had also enacted a national strategy to reduce corruption, including through the simplification of administrative procedures. It had also taken steps to empower civil society in making it more aware of its rights, through, inter alia, translating documents into Swahili, disseminating booklets and posters and creating a mechanism for lodging complaints against corrupt officials. The President regularly informed the public about steps the Government had taken through his office and the media and virtually every ministry had a senior public relations officer.

32. The reports to treaty bodies remained the central element in monitoring full and effective implementation of human rights standards. His delegation affirmed its commitment to meet its

reporting obligations under various United Nations instruments and looked forward to the completion of drafting guidelines for an expanded core document that would facilitate reporting by allowing States to report on the implementation of human rights norms in a unified document. Assistance was needed to help developing countries like Tanzania to fulfil requests for disaggregated data and meet compliance requirements. His delegation therefore called on Member States to help to strengthen the capacity of national Governments to work with treaty bodies and urged the treaty bodies to explore alternative working methods to shorten the time elapsed between the submission of a report and its consideration by a given Committee.

33. His delegation also urged Member States to redress the underrepresentation of women in treaty bodies. Lastly, his Government reiterated its support for the Office of the High Commissioner for Human Rights and looked forward to the successful establishment of a Human Rights Council.

34. **Mr. Labbé** (Chile) referred to the reaffirmation in the Summit Outcome that human rights were universal, indivisible, interrelated, interdependent and mutually reinforcing and should be treated in a fair and equal manner, on the same footing and with the same emphasis, and that States were responsible for their promotion and protection. The decision to set up a Human Rights Council was a key part of United Nations reform; human rights should be mainstreamed and their promotion and protection should be integrated into national policies.

35. The findings of the seventeenth meeting of the chairpersons of the human rights treaty bodies would enable them to improve their functioning. Reporting procedures would gain by being streamlined and the time lag between the submission of reports and their examination by the committees concerned should be reduced. In addition, it was important to continue to examine the links between human security and human rights, particularly since security, development and human rights were the three pillars of the United Nations.

36. Chile actively contributed to international efforts to promote human rights, whose progressive development it supported, as it did the adoption of new international instruments for the enhanced protection of human dignity. At the domestic level, and after a period that had seen the massive violation of human rights in the country, the concern was a paramount one for Chileans, as reflected since as the 1990s in the setting up of a National Truth and Reconciliation Commission and the establishment of channels for dialogue between civil society and the military, leading to a report on torture. Following that report, the Government had recently submitted a proposal to the National Congress for the creation of an Institute of Human Rights.

37. His country had proposed Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law, adopted first by the Commission on Human Rights and then by the Economic and Social Council. The final text, which did not create any new obligations and offered broad scope for its application, could serve as a useful tool for assisting the victims of such violations.

38. **Mr. Shin Kak-soo** (Republic of Korea) expressed support for the idea of an expanded core document rationalizing reporting obligations. States would find it easier to fulfil their obligations. A technical working group might be established to ensure the integrity of the reports.

39. The envisaged periodic review of the Human Rights Council should not overlap with or duplicate the work of existing treaty bodies; rather, the two mechanisms should be mutually reinforcing. The establishment of the Human Rights Council was closely linked with the reform of the treaty bodies and the harmonization of their work.

40. He expressed concern about the backlog of reports and persistent non-reporting and support for a two-chamber system for other treaty bodies like that adopted by the Committee on the Rights of the Child. The Republic of Korea had accordingly supported a resolution to that end in respect of the Committee on the Elimination of Discrimination against Women.

41. Harmonization of the reporting system and the provision of technical assistance would encourage States parties to comply punctually with their reporting obligations, thus reducing the backlog and leading to more meaningful follow-up. The number of country-specific recommendations should be increased in order to narrow the gap between recommendations and their implementation at national level, while the treaty bodies should monitor the records of their

implementation and publish them regularly in their reports. The establishment of a unified, standing treaty body also merited consideration.

42. **Mr. Sin Son Chol** (Democratic People's Republic of Korea) said that his Government had submitted reports on the implementation of four human rights instruments since 2000. Various national laws had been amended or supplemented as a result and the minimum age for the death penalty had been raised to 18 years of age. In addition, a delegation from the United Nations Committee on the Rights of the Child had visited the country in 2004.

43. Treaty bodies would obtain greater support and cooperation from States parties if they expedited consideration of reports so that States would have the usual four or five years to prepare the next report, instead of only one or two years. In that connection, his Government welcomed the decision of the Committee on the Rights of the Child to set up two groups for the consideration of reports as well as the proposal of the Committee on the Elimination of Discrimination against Women to begin meeting three times a year.

44. Conclusions should be drawn on the basis of dialogues held with the official delegations of the respective States. Concluding observations occasionally made reference to issues that had never been discussed during consideration of the reports, which made it difficult for States to implement the recommendations.

45. **Mr. Barazanji** (Iraq) said that Iraq attached great importance to international human rights instruments and was making efforts to harmonize its domestic human rights legislation with international standards. The Iraqi draft Constitution affirmed Iraq's commitment to those international human rights conventions to which it was already a party, and the Government intended to accede to other relevant regional and international treaties. However, the dissemination of a human rights culture required concerted public awareness efforts. Too many people were unaware of their rights but all too aware of how to deny rights to others. Greater public awareness of human rights and tougher penalties against human rights violators were needed to ensure the fulfilment of the commitments set out in international human rights instruments.

46. Mr. Carvalho (Portugal) took the Chair.

47. **Mr. Limon** (Suriname), speaking on behalf of the Caribbean Community (CARICOM), said that its members had committed themselves to the promotion of human rights and had acceded to or ratified some or all of the major human rights instruments. Although they recognized that reporting requirements were an important means of monitoring the implementation of such instruments, the process was costly for small states with limited human and financial resources. CARICOM therefore called for increased technical cooperation to assist States in enhancing their reporting capacity or in implementing the recommendations of the treaty bodies.

48. CARICOM emphasized that the fight against terrorism should be conducted in accordance with international humanitarian law and reaffirmed its strong objection to the use of torture and other inhumane or degrading treatment in the name of counter-terrorism. CARICOM welcomed the recent appointment of a Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism and hoped that the Rapporteur would make concrete recommendations. CARICOM would also welcome an elaboration on the impact of counter-terrorist measures on vulnerable groups such as children and minorities, particularly with regard to their economic, social and cultural rights.

49. Equal attention should be given to the impact of globalization on the full enjoyment of human rights and fundamental freedoms. It was most critical to discover how to use globalization to promote and protect human rights in general and the right to development in particular. A durable solution must be found to the debt problems of developing countries, market opportunities must be found for developing countries, especially small island developing States, and democratizing international financial institutions.

50. CARICOM attached great importance to the regional arrangements that had been put in place for the promotion and protection of human rights and appreciated the fact that the Office of the High Commissioner for Human Rights was cooperating with the Latin American and Caribbean region to strengthen its national capacities.

51. CARICOM favoured a comprehensive reform of the human rights machinery as part of an overall reform of the United Nations to ensure that the

principles of the Charter were being fully respected. The international community needed to create an effective human rights mechanism that retained positive elements of the current mechanism and took into account concerns of selectivity, double standards and politicization. It was also important to address the underlying causes of the eroding credibility and effectiveness of human rights mechanisms.

52. CARICOM reiterated its commitment to the promotion and protection of human rights and fundamental freedoms as enshrined in the Charter of the United Nations, the Universal Declaration of Human Rights, the 1993 Vienna Declaration and Programme of Action and subsequent human rights instruments.

53. **Mr. Southcott** (Australia), also speaking on behalf of Canada and New Zealand, said that the three delegations were strongly committed to strengthening the operation of the United Nations treaty bodies as a concrete way of advancing the promotion and protection of human rights. Their Governments were concerned at the degree of overlap in the work of the Committees and supported the principle of reducing duplication where possible. Canada, New Zealand and Australia had examined the ideas for further reform put forward by the High Commissioner for Human Rights in her plan of action and felt that her proposal for a unified standing treaty body warranted careful consideration.

54. The three Governments had been actively engaged for several years in fostering improvements in the treaty body system, including through workshops on reform which had brought together representatives of 50 countries from different regions, the Office of the High Commissioner for Human Rights, and the treaty bodies themselves. They were pleased that many of the outcomes of those workshops had been made part of the mainstream treaty body reform agenda.

55. Canada, New Zealand and Australia welcomed the call for streamlined reporting procedures and were supportive of the initiative of the Office of the High Commissioner for Human Rights in developing guidelines directed towards harmonizing reporting requirements across the various treaties. The delegations welcomed the regular dialogues with States on working methods and were pleased that the Committees with a backlog of reports awaiting consideration were examining proactive measures to address the problem. They also encouraged the continuation of the practice of sharing lists of issues with States prior to consideration of their reports.

56. There were still many areas where further improvements could be achieved in State and treaty body practices. Committee practices should be harmonized, duplication of information should be reduced, reporting schedules that took into account the capacity of the Committees to consider reports should be established, and the Committees should show consistency and transparency in their dealings with material supplied by non-governmental organizations.

57. The integrity and effectiveness of the treaty body system were also dependent on the calibre of the experts serving on the Committees. States therefore had a responsibility to nominate truly independent experts with the relevant human rights expertise.

58. **Ms. Bendeck** (Honduras) said that her country had ratified the majority of international treaties on the protection and promotion of human rights and had established a national human rights committee to guarantee compliance with the rights and freedoms embodied in the Honduran Constitution and in international conventions and treaties.

59. Globalization had led to the spread of organized crime at both the national and international levels and it was alarming to note that the situation had deteriorated to the point where local authorities often disregarded basic human rights and freedoms. As one of the affected countries, Honduras wished to see greater international cooperation in the fight against transnational crime.

60. Increased poverty, deteriorating family values, unemployment and lack of opportunity for the poorest sectors of society were causing young people to engage in illegal activities or join youth gangs. To help address the problem, the Honduran Government had invited the Special Rapporteur on extrajudicial, summary or arbitrary executions to monitor the situation together with the national authorities. Honduras was successfully implementing the resulting measures and agreements as well as the recommendations contained in the report of the Special Rapporteur.

61. The Honduran Government supported the creation of the Human Rights Council to guarantee the principles enshrined in the Charter of the United Nations, the Universal Declaration of Human Rights,

and all the relevant international instruments. However, it was concerned that, due to scheduling conflicts, the Chairman of the Third Committee would not be able to participate in the negotiations on the creation of that Council. Honduras requested that the Chairman attempt to keep the Committee informed of the progress in the negotiations currently being conducted by the President of the General Assembly, as they directly affected the existence and programme of work of the Third Committee.

62. **Mr. Salgueiro** (Portugal) said that economic, social and cultural rights had not been considered fully-fledged human rights and had been treated with caution or scepticism. Unlike victims of torture, arbitrary detention and violations of the freedom of speech or religion, victims of chronic malnutrition, seriously inadequate health care or a total lack of educational opportunities had no right of petition at the international level.

63. Social and economic rights had become legally binding, however, under many international human rights treaties and regional human rights systems. Furthermore, dozens of constitutions from all regions of the world protected economic, social and cultural rights. Like civil and political rights, economic and social rights must often be backed by legal remedies. There were justiciable elements in most if not all human rights reflected in the Universal Declaration of Human Rights. His delegation hoped that the Commission on Human Rights Working Group on an optional protocol to the International Covenant on Economic, Social and Cultural Rights would close disparities in treatment given to both sets of human rights. The adoption of an optional protocol would give practical meaning to rights defended in the Covenant, which remained illusory for millions of persons in the world.

64. **Ms. Pi** (Uruguay) said that the adoption of the Declaration on the Protection of All Persons from Enforced Disappearance and Inter-American Convention on Forced Disappearance of Persons showed the importance which Member States attached to the issue. Such an instrument would serve as an effective weapon for combating the horrendous crime of forced disappearance at the international level.

65. The draft convention specified that the systematic and massive practice of enforced disappearance constituted a crime against humanity. Under the draft convention States must not tolerate forced disappearance, immediately investigate any complaint of forced disappearance, and define forced disappearance in their criminal laws as a separate offence. There was no justification for enforced disappearance including compliance with an order. Her delegation appealed to States to adopt the draft convention at the Commission on Human Rights.

66. Torture was another scourge which must be fought through education and preventive measures as well as punishment and rehabilitation. Her delegation, which had ratified the existing relevant conventions against torture, including the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Inter-American Convention to Prevent and Punish Torture, was supplementing its criminal laws with draft legislation which would define torture as an offence punishable by appropriate penalties that took account of the extreme gravity of the act and provided for the payment of compensation to victims and their families.

67. Lastly, consistent with its commitment to human rights, her Government had established a human rights section within the Ministry of Education and Culture and was taking the necessary steps to create an independent national institution to ensure respect for the human rights of the population.

68. **Ms. Filip** (Inter-Parliamentary Union (IPU)) said that as the work of parliaments, in particular their legislative work, had a direct or indirect impact on the ability of the people to enjoy their fundamental rights, IPU encouraged parliaments to establish entities to deal specifically with human rights. IPU surveys indicated that an increasing number of parliaments had done so since 1993. IPU, the United Nations Development Programme (UNDP) and the Office of the United Nations High Commissioner for Human Rights (OHCHR) had held a seminar for members of such bodies in March 2004, which raised the question of their cooperation with regional and international human rights mechanisms, in particular treaty bodies. The discussions showed that many such bodies had had no relations with the mechanisms, had not been informed of their work by their Governments or by the treaty bodies and, in some cases, had not even been aware of their existence. The same was true for special rapporteurs.

69. The South African parliamentary committee on the rights of the child was a model to be followed. All country reports submitted to the Committee on the Rights of the Child should be presented to it for discussion. It ensured that the reports reflected all points of view, and specifically those of civil society. Members of the parliamentary committee were included in the country's delegation to the sessions of the Committee on the Rights of the Child in order to better understand and ensure implementation of the recommendations put forward by the Committee on the Rights of the Child.

70. All regional and international human rights mechanisms, and especially treaty bodies and special rapporteurs, had much to gain from cooperating more closely with parliamentary human rights bodies or competent parliamentary committees. IPU was working to establish or strengthen such cooperation by regular seminars and publishing handbooks for parliamentarians. IPU and OHCHR had recently published a comprehensive handbook for parliamentarians on human rights.

71. *Mr. Butagira (Uganda), Chairman, resumed the Chair.*

72. **Mr. Buff** (International Committee of the Red Cross (ICRC)) said that great numbers of families were separated in the course of the violence of armed conflict. ICRC had invoked the principles and rules of international humanitarian law to prevent separations. His delegation noted with satisfaction that the agenda for humanitarian action, adopted by the International Conference of the Red Cross and Red Crescent in December 2003, gave prominence to the question of missing persons.

73. ICRC endeavoured to help members of families dispersed by armed conflict to re-establish contact and had, for example, distributed more than 1.3 million messages and identified the whereabouts of more than 6,000 persons for whom tracing requests had been filed by their families.

74. ICRC warmly welcomed the conclusion of the drafting of a convention protecting persons from enforced disappearances and commended the achievements of the Intersessional open-ended working group to elaborate a draft legally binding normative instrument for the protection of all persons from enforced disappearance.

75. Everything possible must be done to shed light on the fate of persons reported missing in connection with armed conflict or other situations of violence. Persons deprived of their freedom must be allowed to communicate with their families. No matter how legitimate the grounds for detention, no one had the right to conceal a person's whereabouts, to keep secret whether someone was alive or dead, or to deny that he or she was being detained. Doing so ran counter to the basic tenets of international humanitarian law and human rights law.

76. Preventing enforced disappearances was one of the key aims of ICRC visits to people detained in connection with armed conflict or other situations of violence. ICRC registered the detainees visited so that it could keep track of them individually. It also spoke in private with detainees about their conditions of detention and treatment. For many detainees, these regular visits were the only contact with the outside world.

The meeting rose at 12.50 p.m.